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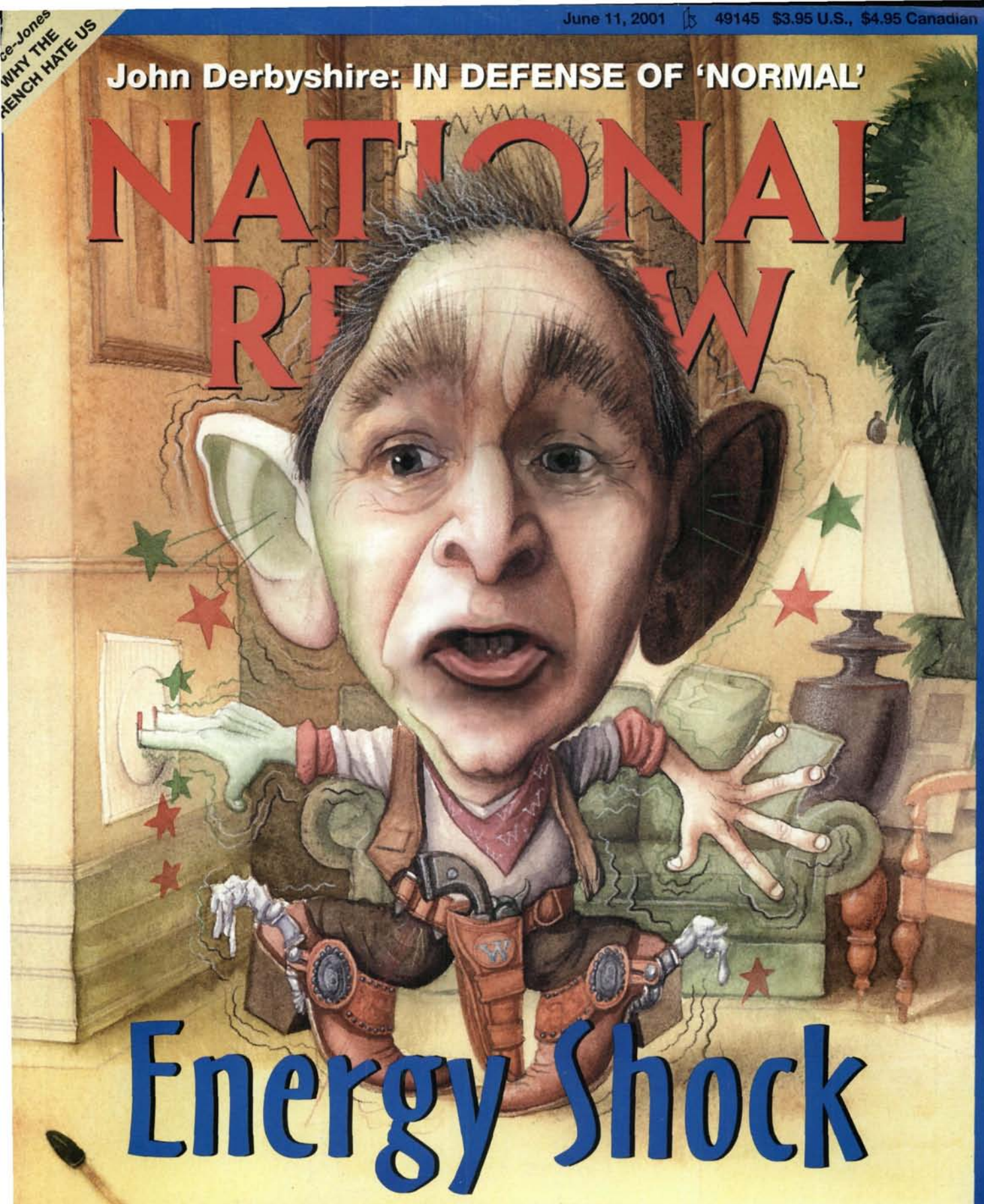

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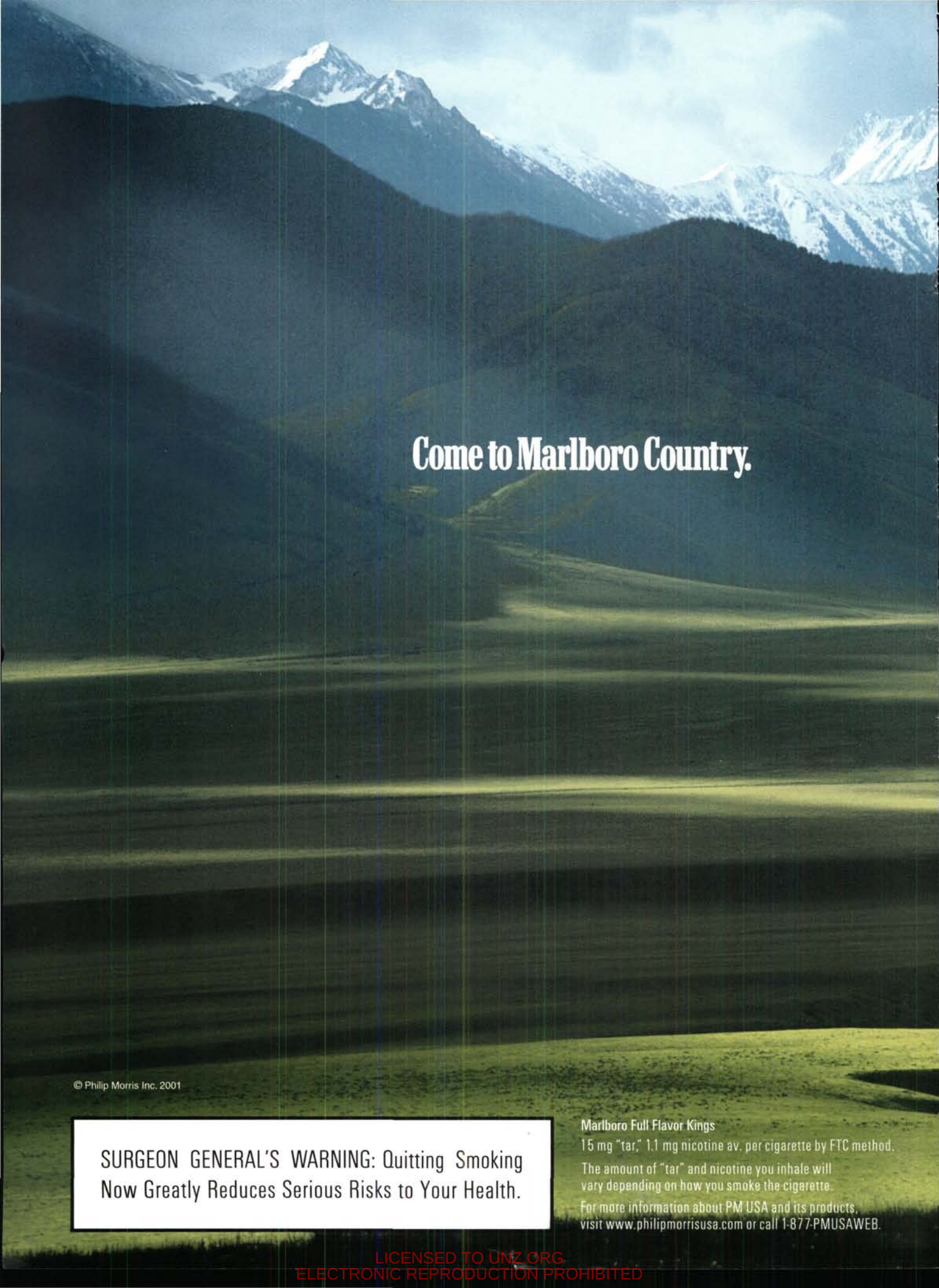
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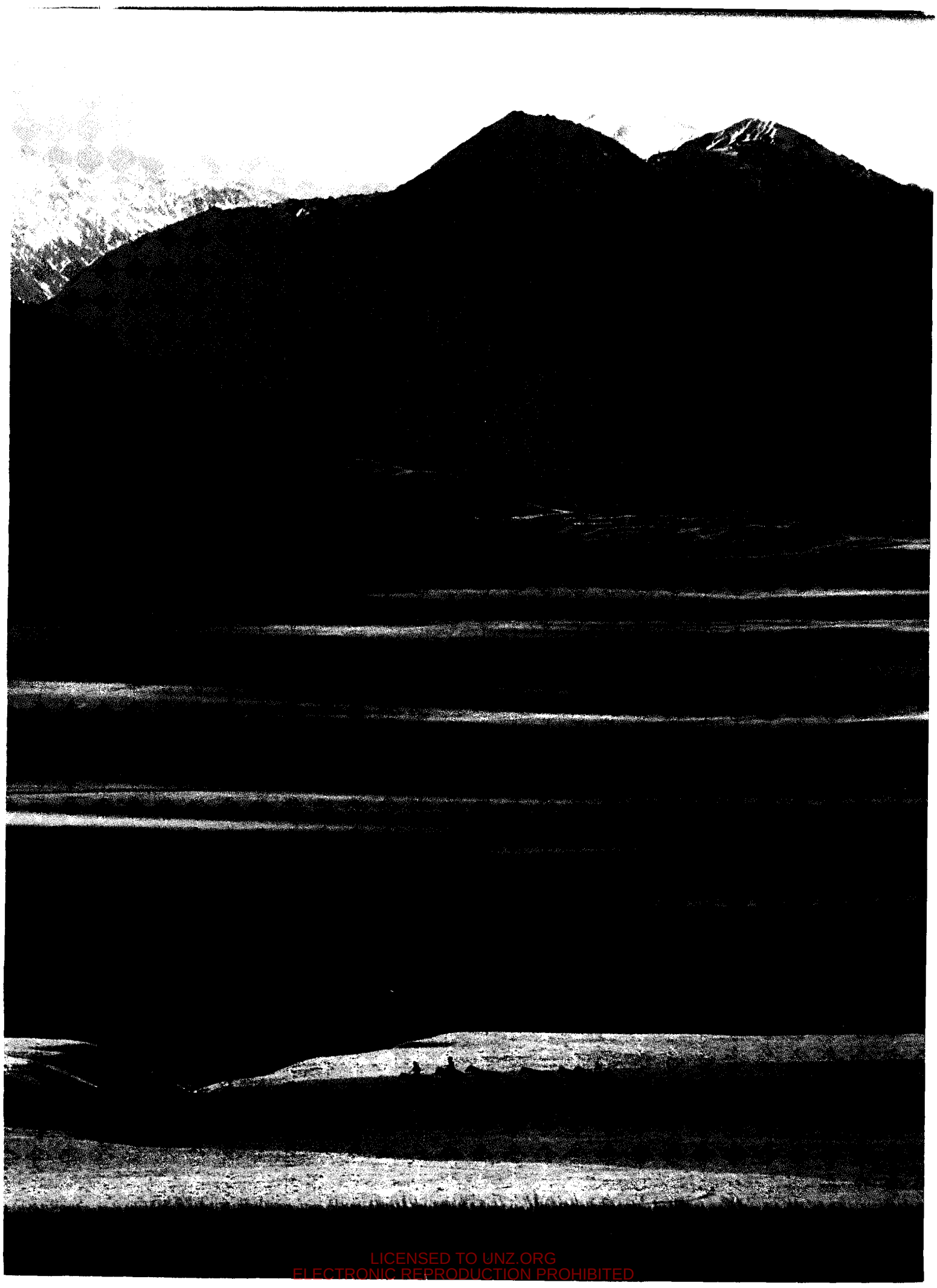

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■ LETTERS ■

O TEMPORA! O MORES!

I wasn't expecting a rave review of my *Selling the Free Market*, but Brian Doherty (March 19) takes me to task for impugning motives and merely making insults against the radical libertarians, concluding, "He doesn't analyze, merely insults. Would Cicero approve?" Anyone who has so much as glanced at Cicero's orations would know better than to depict the master orator as some sort of Roman equivalent of Adlai Stevenson. Conservatives used to know classical literature. Would Russell Kirk approve?

James Arnt Aune
State College, Pa.

LAW WITHOUT VALUES

Although my book on Justice Holmes was the subject of a few harsh reviews before Ramesh Ponnuru's (May 14), none of the others was as obnoxious and bizarre. Most of Ponnuru's review reiterates and endorses criticisms my book offered of Holmes. Then it asks, "So does Alschuler succeed in taking Holmes down?" It answers with a resounding no.

Ponnuru provides two reasons for this conclusion. One is that the book is "weird." I appreciate Ponnuru's charity in confining himself to a single example of this weirdness. But to suggest that a failed witticism (in a footnote, no less) has any bearing on whether the book's substantive criticism of Holmes succeeds—now, that's *really* weird.

The next paragraph declares that I am "too quick to pounce on Holmes." My treatment of Holmes's support for forced-sterilization laws, Ponnuru writes, is a case in point. He faults me for writing that "[s]upport for forced sterilization marked the outer limits of the eugenics movement in America—apart, that is, from the remarks of Justice Holmes and a very few others," adding, "This in a paragraph noting that thirty states had approved such legislation."

I said that forced sterilization, although widely approved, marked the outer limits of the eugenics movement in America. Holmes was almost alone in going beyond sterilization to advocate such measures as the execution of unfit infants. Did I contradict myself by saying that 30 state legislatures had approved a measure *and* that this measure marked the outer limits of the eugenics movement? Either Ponnuru or I have a serious problem with the English language.

Albert W. Alschuler
Chicago, Ill.

RAMESH PONNURU REPLIES: *I took Alschuler's "outer limits" remark to suggest that Holmes's support for forced sterilization was a fringe view because of its context. The sentence comes a paragraph after Alschuler explains that few eugenicists in Holmes's day were willing to go as far as to discourage the reproduction of the "unfit," and that even fewer were willing to encourage birth control. Which presumably would leave a tiny minority advocating the outer-limit position.*

As for the book's weirdness: Holmes is a towering figure in American legal culture—at one point, Alschuler describes him as "the hero of American law." His reputation, however undeserved, is not likely to be hurt much by a book with such chapter titles as "Would You Have Wanted Justice Holmes as a Friend?"; that speculates that "although Holmes's life was intense, it was not particularly satisfying"; and that concludes with a jejune attempt at epistemology.

One last point: If Alschuler's footnotes aren't meant to be taken seriously, why are there 112 pages of them? The text is only 194 pages.

HATS OFF!

In the April 30 issue, Florence King wrote about her objections to American soldiers wearing berets. Her suggestion that "What the Army needs is a distinctively American hat" is ironic considering that the forage cap she proposes is identical to headgear worn by the French military, including the Foreign Legion, of the same era. Volunteer units on both sides of the Civil War wore outfits based on French designs, e.g., chasseur-type and Zouave-type uniforms.

Donald C. Arns Jr.
Middletown, N.Y.

FLORENCE KING REPLIES: *The Civil War and the blue-jacket cavalry have* made *the forage cap distinctively American. Now let's impose our will some more.*

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■ FOR THE RECORD ■

■ President **Bush**'s approval rating at 59 percent, in Fox News survey. . . . In Harris poll, 51 percent rate Bush performance better than expected. . . . Sen. **Joe Biden** (D., Del.) on Bush, in *National Journal*: "One of his obvious strengths goes unspoken very often. He appears not to want to be president badly. I think that's a great asset for a president. I sincerely mean that. I think it's one of the best things he had going for him when he was running. He appears not to be lusting after the office." . . . White House counsel **Alberto Gonzales**, on judicial nominations: "This may be the most important thing a president does. . . . A lot of the things that a president does can be undone by the next administration or the next Congress. This lasts a lifetime." . . . "The Bush administration has filled only 11 percent of its most senior government positions and is unlikely to get even half of its roughly 500 top policymakers in place before Labor Day," reports *Washington Post*.

■ Sen. **John McCain** (R., Ariz.), in *Rolling Stone*: "If Bush had sat down and said, 'I need you as vice president in order to run the country,' of course I would have said yes." . . . More McCain: "I'm becoming more of an environmentalist." . . . Sen. **Zell Miller** (D., Ga.): "My Democrat friends need to be reminded and return to those days of yesteryear when they supported cutting tax rates, and did not engage in this endless class warfare that they have today become a Johnny-one-note on." . . . "I am not going to switch to the Republican party," insists Miller in TV interview, addressing rumors to contrary. "But neither am I going to march in lockstep with some of these Democratic senators up here blindly off a cliff, and that's where sometimes they try to lead me." . . . Former senator **Bob Kerrey**, to grad students who asked him to resign as head of New School University in wake of Vietnam controversy: "Look at my record. I don't think you will find that I am yellow-dog imperialist scum." . . . NBC's **Tim Russert** asks Sen. **Ted Kennedy** (D., Mass.) whether he will run for president in 2004: "No, no, I don't think so."

■ Just as Sen. **Hillary Clinton** (D., N.Y.) campaigned with placards and bumper stickers reading only "Hillary," New York gubernatorial candidate **Andrew Cuomo** (D.) unveils buttons and signs saying merely "Andrew." . . . Former attorney general **Janet Reno** says she may run for governor of Florida. . . . As *Chicago Tribune* polls show only 20 percent of Illinois voters believing Gov. **George Ryan** (R.) deserves second term, pro-life Democrat **Glenn Poshard** considers another bid for office. . . . Former labor-secretary nominee **Linda Chavez** founds new group called Stop Union Political Abuse.

■ Justice **Clarence Thomas** on working at Supreme Court: "The job is not worth doing for what they pay. The job is not worth doing for the grief. But it is

"A holy *war?—Gimme a* break!"

worth doing for the principle." . . . **Barry Lynn** of Americans United for Separation of Church and State criticizes attorney general **John Ashcroft** for holding private prayer meetings in office on weekday mornings, in *Washington Post*: "He's running the department like a church, complete with rituals and forbidden words." . . . In CBS News poll, 49 percent approve of building more nuclear plants to generate electricity, and 43 percent disapprove. . . . Teamsters president **James P. Hoffa**, on drilling in the Arctic National Wildlife Refuge: "The Teamsters union and several other international unions have endorsed this because it means jobs, and it also gives us a new supply of oil. I think anybody paying $2 a gallon wants cheaper gas. And if that's the one way we have to do it, let's do it." . . . **Jimmy Carter**, in *Washington Post*: "No energy crisis exists now that equates in any way with those we faced in 1973 and 1979." . . . In *Newsweek* poll, 68 percent say government investing Social Security assets in stock market is "bad idea," but 59 percent say letting individuals do it is "good idea." . . . Rep. **Marge Roukema** (R., N.J.) on HBO show *The Sopranos*, in Newark *Star-Ledger*: "This program is highly discriminatory. They do ethnic stereotyping, and it's Mafia, homicide, cheating, corruption, financial corruption, denigrating women and families; all of it."

■ General Services Administration report says departing **Clinton** staffers did not trash White House. . . . Clinton, after accepting teachers-union award in New York: "Maybe someday I'll run for something again." . . . Organizers of Clinton speech in Norway resort to giving away tickets in order to fill hall, and in Sweden ticket prices are cut 50 percent and only half are purchased. . . . California Democratic party chairman **Art Torres** on **Al Gore**, in *San Francisco Chronicle*: "The vice president hasn't called to thank me. Not one phone call, not one letter. . . . I'm insulted . . . considering what we did for him." . . . **Al Sharpton** weighs 2004 presidential run. . . . Rep. **Robert Matsui** (D., Calif.), in *USA Today*: "I have to admit I've been impressed with the campaign [death-tax foes] have waged."

■ India embraces Bush administration missile-defense plan. . . . **Stockwell Day** of Canada's conservative Alliance Party says he won't resign, despite calls from some party members who accuse him of inept leadership. . . . In Chad's presidential election, voters receive seven ballots—one color for each candidate.

■ **Jay Leno**: "Great Britain is considering knighting . . . Bill Clinton. And that's not all. Because he's committed adultery, cheated, and had a bunch of loser relatives who never had a job in their lives, he's also being made an honorary member of the royal family." **NR**

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THE WEEK

■ Well, at least maybe we can get rid of the dairy compact now.

■ Sen. James Jeffords of Vermont is not a moderate. He is a liberal. When he was a House Republican, he voted against Ronald Reagan more often than with him. His record as a Senate Republican is exemplified by the progress, if that is the word, of the current education bill. Ted Kennedy was finding it difficult to reach agreement with the White House because Jeffords kept pulling him to the left. So Jeffords's decision to leave the Republican party—and, apparently, to vote to give the Democrats control of the Senate (it is uncertain as we go to press)—is a clarifying one. It makes it clear that the Republicans are the conservative party and the Democrats the liberal party. It makes it clear, too, that conservatives do not have a majority in the Senate, and indeed have never had one. The cost of Jeffords's decision is that Democrats will almost certainly use their newfound power over scheduling and committee structure to block conservative nominees and initiatives that could otherwise pass the Senate. If that happens, President Bush will have to respond with something more than meek protestations of his bipartisan intentions. He will have to campaign against a liberal Senate Democratic leadership that obstructs needed reforms. That, too, would serve the cause of clarity.

■ Jeffords's defection should also lead to some constructive recriminations among Republicans. The Washington Republican establishment weighed in heavily for Jeffords when a conservative mounted a primary challenge to him in 1988—even though Jeffords had announced he would run as an independent if he lost the primary (which means the conservative could have won a three-way race). In 1997, Trent Lott squelched a challenge to Jeffords's committee chairmanship by conservative Dan Coats. What did these favors get the Republicans? Jeffords did not vote with them on many bills, and now that his vote matters for control of the Senate, he has bolted. The fact that his vote mattered at all reflects poorly on the Republican leadership. GOP candidates came very close to winning Senate races in Nebraska and New Jersey last year, but did not receive the funding they needed from the national party. It is time for a housecleaning.

■ When the FBI discovered files relating to the McVeigh case that had not been disclosed to the bomber's lawyers, his execution was postponed, and the nation's editorial pages joined in castigating the Bureau. Sure, it was another screw-up in a troubled agency. But wasn't there also a whiff of relief, among enemies of capital punishment, at deferring, however briefly, a painful dilemma? McVeigh had admitted to the bombing, and forsworn appeals. The documents—a fraction of the vast load of paper generated by such an investigation—will subtract nothing from his guilt. But if capital punishment is wrong in itself, it is wrong when it is meted out to Timothy McVeigh. It would be wrong for Pol Pot, or Caligula. Either the state has the right to take life in cold blood, with all the chances for error that attend any human action, or it does not. If it does not, then McVeigh must be carefully supported, at public expense, even to the point of guarding him from other prisoners who might do him harm, for the rest of his natural days. Who says A, must say B.

■ Treasury secretary Paul O'Neill says that America has averted a recession. We had all better hope so, because the tax cut Congress is preparing to pass will not help us much if he is wrong. President Bush originally proposed that the 39 percent and 31 percent tax rates be dropped by 6 points each; the Senate bill drops them by only 3, and takes six years to do it. The rate cuts should be deeper and faster. They should be coupled with a cut in the capital-gains tax, which would generate extra revenue to help finance them. To make room for deeper rate cuts, it may also be necessary to drop other elements of the tax bill. An end to the marriage penalty, for example, is a worthy goal, but there should be an effort to pass it on its own later in the year. We are unlikely to get another opportunity for rate cuts for a good long time.

■ In a commencement speech at Notre Dame, President Bush reiterated his commitment to his faith-based initiative. He described that initiative as the next step in welfare reform. Now, the initiative may or may not be a good idea. We worry that participation in federal grant programs will over time make religious charities more dependent on government, less effective, and less religious—and President Bush's speech has not allayed those doubts. But even if those concerns were unwarranted, his initiative would still be misdirected. The government would do far more to help the poor by discouraging divorce and illegitimacy than by improving the effectiveness of social services. The trouble with compassionate conservatism isn't that it is too ambitious. It's that it isn't ambitious enough.

■ Sens. Breaux, Frist, and Jeffords have devised a compromise "patients' bill of rights" that has won the support of the White House. It is better than the major alternatives, which are heavier on regulation. But the bill includes no provisions to expand medical savings accounts. This is a crucial omission. The regulations in the bill will increase premiums and thus increase the number of uninsured people. Medical savings accounts would counteract this effect. And by giving more control to

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Handicapped American Schools

Herbert J. Walberg is University Scholar, University of Illinois at Chicago; distinguished visiting fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12 Education.

The United States school system is distinctive in lacking a national ministry of education that sets forth uniform education goals and standards. Our Constitution leaves authority over schools to the states. The states delegate much authority to local school districts, which leave much discretion to principals and teachers. This local control makes for great diversity in student learning, but **students who move from one school to another often lack the knowledge necessary for success in their new schools.**

Our system is distinctive in other ways that handicap efficiency. Ludger Woessmann of the Kiel Institute of World Economics reported the largest study of educational efficiency ever conducted. His analysis of thirty-nine countries showed that close attention to test results, school control over staff and operations, teacher discretion over teaching methods, and competition from private schools fostered high achievement. The influence of teacher unions on curriculum had negative effects, and spending made no difference.

The findings help explain the U.S. oddity of high costs but poor student progress during the school years. In his 1776 book *The Wealth of Nations,* Adam Smith suggested that "division of labor" promotes efficiency. In many efficient organizations, three groups divide their efforts: external boards establish their distinctive mission, set goals, and measure progress; responsible and responsive to boards, management hires staff and directs operations; staff members hardly invent their own idiosyncratic goals but concentrate on carrying out their responsibilities to attain board goals. Sustained failure of any one of these three groups at their respective tasks means the organization fails.

Nearly the opposite is true of the U.S. public school system. No goal is too remote from academic learning to adopt; no "stakeholder" too removed from having a say about the mission and goals. State and local school boards fail to set clear goals and measure progress. At the same time, they tend to interfere with school management.

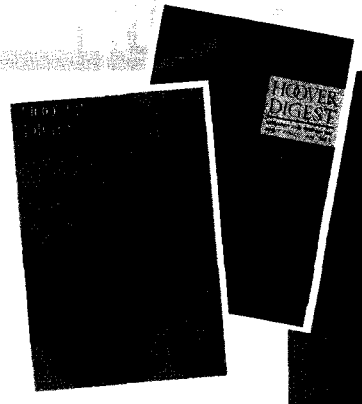
Teachers, principals, boards, and national interest groups compete to set priorities and control teaching. Yet when everyone is responsible, no one is responsible, and having twenty-three priorities means having none. Contention, noise, and fads prevail. In the end, teachers cannot depend on what their students were previously taught. Boards, leaders, and staff all overreach, and yet each group tends to fail at its distinctive task. A thousand flowers bloom but do not a garden make.

Other countries provide much better accountability. While making goals clear, they allow parental choice of privately and publicly governed schools, both publicly financed. **Competition encourages educators to identify the best practices and helps parents choose the best schools.** We spend public funds only on public schools, which limits most parents to the beggar's choice of only a single school, which has little incentive to improve since its customers have nowhere else to go.

The answers to these problems are clear: measurement and accountability for results, public support of schools that compete with one another, and parental choice of schools.

— Herbert J. Walberg

Paid for by the Hoover Institution, Stanford University.



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patients, liberalized accounts would go far toward solving the underlying problem of third-party rationing that inspired the patients' bill of rights in the first place. A bill without medical savings accounts is not worth supporting.

■ New York mayor Rudy Giuliani has had a bad year. He contracted prostate cancer, the disease that felled his father; his second marriage broke up. He made it all worse for himself and the city by unseemly revelations, discussing medical details that went beyond Bob Dole's Viagra commercials, parading a mistress, squabbling with his still undivorced wife about who should live in Gracie Mansion. How sad. Giuliani's critics reflexively attacked him as an authoritarian, and indeed he has a bullying streak. But his gift to the city over seven and a half years was in fact liberating: a public space free of crime, filth, and gross incivility, in which New Yorkers would have the chance to live like adults. The mayor's self-indulgent handling of his personal woes reinjected some of the high-volume tumult which so long kept New Yorkers in thrall.

■ Janet Reno showed a little leg in the Florida 2002 governor's race, telling reporters, "I'm considering it. I care passionately about this state." Was anyone surprised? Ms. Reno has always cared passionately about holding power. She was elected attorney of Miami-Dade County five times. She clutched the attorney generalship for eight years, careful never to do anything in investigating President Clinton's misdeeds that would cause him to oust her. People who do not dispose of the power to fire her have been treated in a more summary fashion: She hounded innocents in child-abuse witch trials, ringed the Branch Davidian compound with firepower, and snatched Elián González from his family with brutal zest. Yes, hers would be an unlikely gubernatorial campaign, but give Reno this: For her, appearing ridiculous has never been an obstacle.

■ The Supreme Court ruled, 8–0, that cannabis buyers' clubs may not circumvent federal law to distribute marijuana to sick people who smoke it for medical reasons, notwithstanding state and local laws that permit the practice. The court properly upheld existing federal law. That underlines the need to change the law. But here supporters of medical pot will encounter an anomaly. Although medical marijuana referendums have passed by healthy majorities in every state in which they have been offered—Alaska, Washington, Oregon, California, Nevada, Arizona, Colorado, and Maine—politicians are wary of the issue, lest they be seen as soft on drugs, or insufficiently concerned with the welfare of our children. One politician who has been bolder than average is George W. Bush, who said in October 1999 that "I believe each state [should be able to] choose" its position on medical marijuana. Congress should follow his lead.

■ In a report on the current crisis in the Middle East, Sen. George Mitchell and a group of worthies urge both sides to refrain from violence. Secretary of State Colin Powell hopes that everyone will feel "sobered" by events, and he has appointed a "special assistant" to confer with all concerned. The assumption here is that there is moral equivalence between the two sides. Yet Yasser Arafat claims openly to be waging a "decisive battle for Palestine." Listening to him, many Palestinians, some no more than children, take to the streets, first with stones, then with guns. Suicide bombers infiltrate Israel and blow themselves and unfortunate bystanders to pieces. They are acting in the collective delusion that if their violence is extreme enough, Israel will somehow vanish. Clear-headed as they have to be, the Israelis defend themselves as they can. There is no moral equivalence here. Advice to refrain from self-defense and to submit instead to sessions with a "special assistant" makes sense only if Israel is disposed to vanish voluntarily. That is not the case.

■ As minister of defense in Poland in 1970, Gen. Wojciech Jaruzelski called troops out to deal with strikers in several different ports. By the time the shooting was over, officially there were 44 dead, unofficially over 300, with some 1,200 wounded. Always Moscow's man, Jaruzelski went on to become prime minister and president, in which capacity he opposed Solidarity, declared martial law, and had many thousands summarily arrested. At last he is in a Warsaw court to answer charges of ordering the massacres at the ports. Better late than never, for the sake of Poland and a democratic future. Communism, like Nazism, works its ill until those who committed crimes in its name are brought to account through the due process of law.

■ When the agitation for gay marriage began, social conservatives countered by asking what objection could be raised to polygamy if it were allowed. The riposte was not rhetorical. Tom Green, a Utah man with five wives and 29 children, was convicted of four counts of bigamy. Green claimed to be following his religious convictions (the Mormon Church upheld polygamy until 1890, when it renounced the practice). Faith does not justify every deed, and the constitution of the family is a proper concern of legislators. Harems and *maîtresses en*

Hillary's Shocked

The senator, whose law firm files
Went missing famously, reviles
The F.B.I. for files misplaced,
Though hers uncannily retraced
Her route from Little Rock to where
They wound up in her White House lair;
A voyage that would steal the show
From any souped-up U.F.O.

—W. H. von Dreele

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Burying the big population story

by Ben J. Wattenberg

The overwhelming demographic story of our time has somehow failed to make it into the headlines. Here it is, in short: Never have birth and fertility rates fallen so far, so fast, so low, for so long, all over the world, already yielding some population decline, with much more to come. That story continues to be buried by the noise of "the population explosion", a powerful trend that peaked decades ago, but which is still promoted by environmental alarmists and their allies.

Recently, however, the United Nations Population Division had started "unburying" the facts. Some projection techniques were modified to partially account for starkly falling fertility. The UN's "Replacement Migration: Is it a Solution to Declining and Aging Populations?" caused a firestorm. It predicted that European nations will either take in large numbers of immigrants, or suffer grievous economic damages.

But now, alas, the recent release of the "highlights" of the new UN biennial reference book "World Population Prospects – The 2000 Revisions", once again buries the big story. That is too bad, because only the UN has the standing to correct the central misconception of our time.

Consider the gist of the first four items of the executive summary of the document. World population is growing by 77 million per year, going from 6.1 billion today to 9.3 billion in 2050, according to the "medium variant" projection. The gain will come entirely in the Less Developed Regions (LDR), even though the LDR "projection assumes continuing declines in fertility". The population of the modern "More Developed Regions" (MDR) is "anticipated to change little". The 2050 global projection comes out at 413 million more people than previously reported.

> ***Shouldn't we be investing more in improving healthcare and education in the less developed regions where populations are growing?***

"More people" was the functional UN lead, and that is how the Associated Press, among other news organizations, reported the story. But saying that developed nations won't lose population in the next 50 years is simply not accurate. Europe, Japan and almost every other developed country will suffer severe population losses, while the United States is projected to grow.

Thus, the 2000 population of Europe is 727 million and the UN's "medium" projection for 2050 is 603 million – a loss of 124 million people or 17%, an unprecedented drop. The "low" (and probably more likely) projection puts Europe at 556 million – a loss of 171 million or 24%.

America, on the other hand, is slated to grow from 283 million today to 397 million in 2050. But that American projection assumes increasing fertility and immigration, which is dubious. American fertility has been below the replacement rate of 2.1 children per woman for 30 consecutive years. Why would it go up? It is equally unlikely that immigration will go up, given trends elsewhere. Demographers say that Mexico, for example, has already breached the 2.1 rate, down from a 1965-70 rate of 6.8 children. Like Mexico, there are already 21 nations from the LDR that have fertility rates below the replacement rate, including China, Thailand, Cuba, both North and South Korea, and Kazakhstan.

The problem is not that the UN has made poor projections, but that it labels fairly high projections as "medium". That word is immediately misinterpreted as "most likely", and in the media it is then further transmuted into "fact". And so we read that the UN is predicting that the world population will rise from about 6 billion to about 9 billion and keep growing – instead of a more likely course of going from 6 billion to about 8 billion and declining.

There is a big difference between growing and declining, especially when we consider the serious policy implications of population decline. How will the developed countries sustain their healthcare and pension systems if their populations are aging even more rapidly than we had thought? And shouldn't we be investing more – much more – in improving healthcare and education in the less developed regions where populations are growing? Reporting growth when the likelihood is decline postpones consideration of these serious issues. And that is why burying the big story can be dangerous.

Ben J. Wattenberg is a Senior Fellow at the American Enterprise Institute (AEI). His most recent book, The First Measured Century, is available from AEI, 1150 Fifteenth Street, Washington, D.C. (www.aei.org).

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titre are appropriate to monarchies, or savage societies; accumulating spouses like cars violates the metaphysics of republican citizenship.

■ *We hold these Truths to be self-evident, that all Persons are created equal* . . . Don't laugh. While there are at present no plans to rewrite the Declaration of Independence, New York's legislature is coming under pressure to make the language of that state's constitution "gender-neutral," changing "firemen" to "firefighters," adding "she" and "her" to occurrences of "he" and "him," and so on. In one of the most overtaxed, over-regulated states of the Union, with a legislature that has not passed a state budget on time since 1984, facing an accelerating slide in education standards and crippling shortages of public-school teachers, with out-of-control state borrowing and an economy plagued by medieval blights like rent control, heading into a California-style energy crisis and a New Jersey-style auto-insurance crisis simultaneously, legislators apparently have the leisure to tinker with pronouns. A mystery.

■ In a contest reminiscent of Edward G. Robinson up against Steve McQueen in *The Cincinnati Kid*, veteran CBS anchorman Dan Rather granted an audience to scrappy, irreverent Fox News Channel pundit Bill O'Reilly. The exchange shed some interesting light on the mental world inhabited by media panjandrums like Rather. Does this paragon of objective reporting believe Bill Clinton to be an honest man? "Yes, I think he's an honest man." Even when he lied to Jim Lehrer's face? Rather: "Listen, who among us have not lied about something?" O'Reilly: "Well, I didn't lie to anybody's face on national television. I don't think you have. Have you?" Rather: "I don't think I ever have. . . . But I think you can be an honest person and lie about any number of things." Yes: and you can be a network-news grandee and bring out your moral relativism for all to see, unblushing and unashamed, when you have been cocooned among our agnostic elites for so long you think their attitudes are unremarkable.

■ After lengthy investigation, it turns out that the Clintons did not in fact vandalize the White House—just the Constitution.

PUBLIC POLICY

Energy in the Executive

WOULD that every nation were blessed with such an "energy crisis." Yes, California has a serious problem that, given a combination of circumstances, could also affect other parts of the country. But consider the big picture. Electricity rates nationwide have, according to the Mirant National Power Index, dropped from last year. New power plants are being built at a rapid clip. On the futures market, the price of gasoline is actually declining. Perversely, it may still make political sense for the Bush White House to talk up this supposed "crisis," because once everyone realizes that it doesn't exist, the administration can declare it solved—thanks, of course, to its comprehensive energy plan!

The hyperbolic attacks on the Bush plan by environmentalists (as an attempt to poison the air and kill the caribou) shouldn't trick conservatives into an exaggerated sense of its merit. The basic thrust of the administration's thinking on energy is sound: A growing economy requires more energy, which in turn entails more production. But the Bush plan itself is a political document, meant to placate corporate interests, environmentalists, and everyone in between, and so is festooned with an embarrassment of subsidies and incentives that will, at best, prove an irrelevance.

As Jerry Taylor writes elsewhere in this issue, the phantom energy crisis is already healing itself. Power plants are being built at a rate that outpaces Dick Cheney's benchmark of one plant a week. Altogether, almost 100,000 new daily megawatts of electricity capacity are scheduled to be available nationwide by next year. This is twice the amount of electricity that California now uses on an average day. While Cheney has been sitting with his advisers around a White House conference table, investors and entrepreneurs have been digging, building, and refining his energy problem into oblivion. By the time all the Bush plan's tax credits have kicked in, there may well be an energy glut. All of this is thanks to the most efficient energy plan known to man: market pricing.

This points to the negative, but nonetheless significant, advantage of the Bush plan: It is a way to stave off price controls, which would work both to squelch production, by making it less profitable, and to discourage conservation, by shielding consumers from the true cost of their consumption. It is interference with market pricing that accounts for most of California's dire situation, after a harebrained "deregulation" that froze retail prices. Gov. Gray Davis, who appears quickly to be fading all the way to black, still resists the logic of his state's situation, loosening prices in the most byzantine, hesitant way possible, lest the forces of supply-and-demand impinge on the Golden State's 20-year experiment in freeing itself from major new power-plant construction. It's no accident that other states in the West, where retail prices have been allowed to rise considerably, are not experiencing California's shortages.

There are other advantages to the Bush plan: It would correct Clinton-era regulatory excesses, for instance, by examining with a critical eye the extensions of the Clean Air Act that made it harder to upgrade existing refineries. But if you like the ethanol subsidy, you will the love the rest of the Bush program. Its collection of subsidies, tax credits, accelerated depreciation allowances, and the rest represents the worst sort of corporate welfare. Its subsidy for dubious "Clean Coal" technology is a valentine to red-state West Virginia. The bow to coerced conservation measures—such as considering whether to increase the fuel-efficiency standard on cars—seems an overreaction to the media strafing of Cheney's quite reasonable energy speech in Toronto, where he pointed

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out that America can't put a dimmer switch on its energy needs.

In sum, given the way markets defy prediction and depend on thousands and thousands of factors and decisions impervious to the calculations of central planners, the Bush plan will likely—and deserves to—fail in comprehensively plotting the nation's energy future. But the plan may be necessary political posturing. In which case: May it fail gloriously.

WASHINGTON

Borking Olson

In the Year of Monica, one of the liberals' refrains was that it was "time to move on." Oddly, even though their side prevailed in the impeachment contest, it is they who have not moved on. They are still trying to hunt down members of the vast right-wing conspiracy they blame for causing Bill Clinton's woes. Their latest target is Theodore Olson, President Bush's nominee for solicitor general. Their campaign against him is entirely scurrilous.

The liberals accuse Olson of 1) participating in a shadowy conspiracy to bring down President Clinton called "the Arkansas Project" and 2) lying about his participation to the Senate Judiciary Committee. Because of this second accusation, Democrats delayed a vote on Olson's confirmation and made Republicans agree to a limited investigation.

The Arkansas Project was an attempt by the conservative magazine *The American Spectator* to look into Clinton's activities when he was governor. It was a flop, chaotically organized and unproductive. Olson told the Judiciary Committee that he learned about the project for the first time when he joined the *Spectator*'s board, which did an audit of it and shut it down.

Olson's critics have been able to prove that Olson was more deeply involved than he claims only by defining involvement in the Arkansas Project extremely broadly. So, for example, Olson is said to have done project business by talking about Clinton scandals over dinners with the *Spectator*'s editor. David Brock, a disgruntled former employee of the magazine with a grudge against Olson and his wife, accused Olson of lying because the two men had discussed an anti-Clinton article the magazine was considering publishing. But Brock had to admit that the words "Arkansas Project" never even came up.

In addition, project funds were used to pay for the legal research Olson and a colleague did in preparing an anti-Clinton article in the magazine. Olson denies knowing that the funds came from the project, and his denial is plausible. His correspondence with the magazine does not mention the project, and the checks were from the *Spectator*. Only in the *Spectator*'s internal accounts were the payments attributed to the project, and that was of no concern to Olson (who was not yet on the magazine's board). Project funds often went to non-project business: The project's funder, Richard Mellon Scaife, eventually complained about the practice.

Liberal opinionists have criticized Olson for being "Clintonian" because his defense amounts to saying that it depends on the definition of "Arkansas Project." But he has been forced to split hairs only because the accusation against him is so vague. From moment to moment, the accusation shifts from involvement in a plot to bring down the president to mere cocktail-party griping about Clinton.

Olson's critics have various motives. *Salon*, the sleazy liberal website that has pushed this non-story most actively, is keeping its torch lit for Clinton; partisan Democrats are using Olson to warn the president not to nominate conservative lawyers for the Supreme Court; Brock has an ax to grind and a book to sell. (His exposé of the Right's anti-Clinton hijinks is due out this November, although his publisher is talking about moving up the date because of his involvement in the Olson controversy.) They have brought more discredit on themselves, none on Ted Olson.

ITALY

Avanti, Silvio

The victory of Silvio Berlusconi in the Italian elections brings to office a conservative government in one of the leading European countries. This is exceptional in itself. Berlusconi's House of Liberty coalition has a majority large enough to ensure that he should be able to carry out what might be called a post-Reaganite agenda: reducing the state's hold on daily life, deregulating, cutting taxes, and controlling the illegal immigration now plaguing the country.

Italy is a law unto itself. In the old days, the Communists on the left and the Christian Democrats on the right formed blocs in nominal opposition, actually in one another's image, equally sclerotic, intolerant, and corrupt. Between them, they carved Italy up. The collapse of the Soviet Union ought in logic to have put the Communists out of business for good, but they regrouped through fast footwork. In an absurd paradox, it was the Christian Democrats who folded. Italy seemed destined to be in the hands of the Left forever.

Aware of the danger to their quasi-monopoly on power, the Left in Italy and elsewhere bad-mouthed Berlusconi in a campaign of concerted rumor-mongering and malice. His success seriously sets back their ambitions. Reorganizing the Right, and filling the void left by the Christian Democrats, he is establishing a two-party system more stable and equitable than the complicit arrangements of yesterday.

The achievement is highly personal. Sixty-four now, Berlusconi is self-made, reputedly the richest man in the country, among other things owner of three of the country's six television channels, and a range of financial services. Flamboyant, obsessive, prone to sentimentality and vulgarity, he is famous for his outsize ego. In an echo of the old boast about General Motors, he has said, "What is good for me is good for Italy." What sticks in the craw of the Left is that he has the wealth, and the means through the media, to do what he wants for himself and for Italy, namely to oppose and frustrate them.

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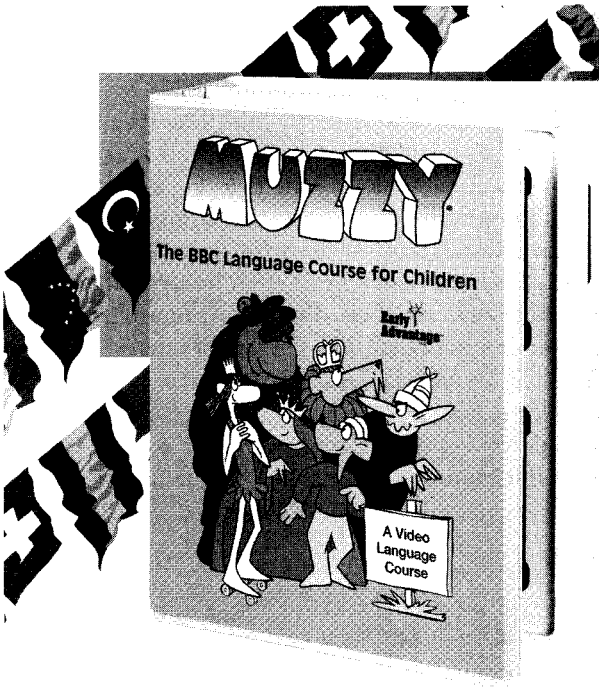

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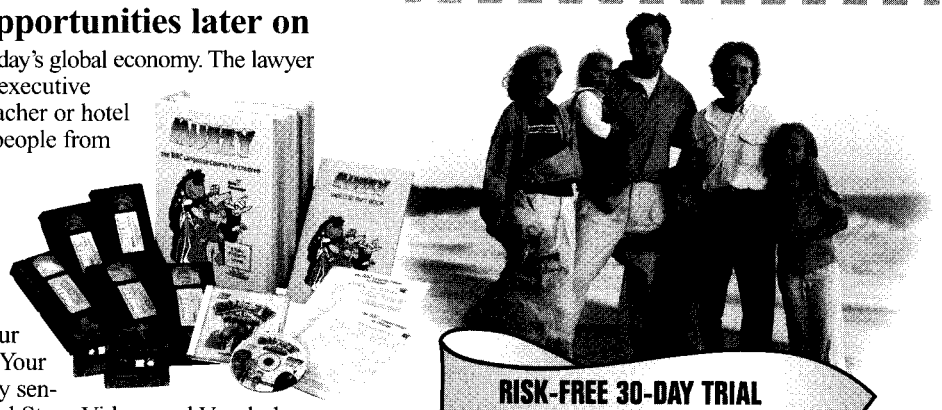

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During the campaign, the Left and the international press leveled charges of corruption against him, going so far as to assert that a Berlusconi victory would be a danger to democracy. One of the few who supported him was Margaret Thatcher, a kindred spirit, whose signed photograph adorns his office.

Accusations of corruption are integral to the political process in Italy, where judges and magistrates are politicized through affiliation with one or another party. Berlusconi and his companies have been the subject of a number of judicial investigations. As a result, he has had three convictions, for falsifying accounts, bribing the tax authorities, and making illegal payments to politicians. In each case, however, the alleged offense was so far in the past that it fell under a statute of limitations. Exploitation by the Left of old accusations proved counterproductive, generating sympathy for Berlusconi on the grounds that success in business and politics necessarily means engagement in the country's institutionalized culture of corruption. Berlusconi himself has promised to resolve without delay the conflict of interest between his office and his media empire.

To reform and democratize this culture is a Herculean task. That it should fall to a supreme careerist to do so is another absurd paradox. But then Italy is a law unto itself.

■ NOTES & ASIDES ■

■ Dear Mr. Buckley: I would appreciate it if you would clarify the idiom "begging the question."

I believe it is currently misunderstood and misused in place of more common expressions like "calls for the question" or "raises the question." Is not "begging the question" a term that is the rough equivalent of what lawyers call "assuming a fact not in evidence"?

My understanding is that, in a logical progression, if you go from Point A to B to D to E, then by skipping C you have begged that particular question or premise.

I look forward to learning your interpretation.

Very truly yours,
William S. Wood II
West Chester, Pa.

Dear Mr. Wood: Without consulting reference books on the matter, I'd guess that to beg a question is to fail to answer that which the questioner really wanted to probe. Skipping a step in the sequence, as per your example, is an enthymeme, a nice ten-dollar word.

Cordially, WFB

■ Dear Mr. Buckley: As one who holds that the greatest peril facing our species is an irrational self-righteous arrogance (an arguable tautology), I was pleased to come upon the following excerpt from Miss Clack's narrative in Wilkie Collins's 1868 novel *The Moonstone*.

I have taken the liberty of replacing the original designation with a blank, which can be filled in with the fervid of any stripe, thus producing an all-purpose, ready-to-use credo, suitable for any organization of the sufficiently rabid:

> Once self-supported by conscience, once embarked on a career of manifest usefulness, the true [insert affiliation] never yields. Neither public nor private influences produce the slightest effect on us, when we have once got our mission. Taxation may be the consequence of a mission; riots may be the consequence of a mission; wars may be the consequence of a mission: we go on with our work, irrespective of every human consideration which moves the world outside us. We are above reason; we are beyond ridicule; we see with nobody's eyes, we hear with nobody's ears, we feel with nobody's hearts, but our own. Glorious, glorious privilege! And how is it earned? Ah, my friends, you may spare yourselves the useless inquiry! We are the only people who can earn it—for we are the only people who are always right.

I hope that you are as delighted by Collins's perceptive description as I am.

Thanks for the years of good fun with NATIONAL REVIEW.

Yours truly,
Joseph P. Stachura Jr.
North Smithfield, R.I.

■ Dear Mr. Buckley: Lord, that word again: "Bush's address was Clintonian, too, in its equation . . ." (NR's March 19 editorial, "Basic Bush").

That word again! Clintonian. Smithsonian. Gives his name marmoreal weight. Please correct this bad habit that spreads among careless pundits like kudzu.

The ideal term would be Clintonista, but if that's deemed too provocative and anti-Hispanic (a preposterous argument, but such are the times), then use Clintonoid, or if that's a little too bio-derisive, then settle on Clintonite. Nobody will object. Hittite, Amalekite, stalagmite, Clintonite. Fits right in.

NR used to be a citadel of style, used to notice these things, care about them, take the time.

Whatever made it change its vocation?

Dr. Theodore Voelkel
Winchester, Mass.

Dear Dr. Voelkel: Hey, wait a minute. *Clintonista* would suggest "follower of," as in *Taftista*, which for years was the only word in Latin America for "conservative." *Clintonoid* suggests "other than legitimate"; or "true," as in "factoid." Viz. *Birchite*. *Clintonian* would suggest "in the tradition of," as in *Lincolnian*. Used to be would suggest no longer is, would indicate ignorance.

Cordially,

—WFB

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■ COVER STORY ■

A Man, a Plan—a Waste of Time

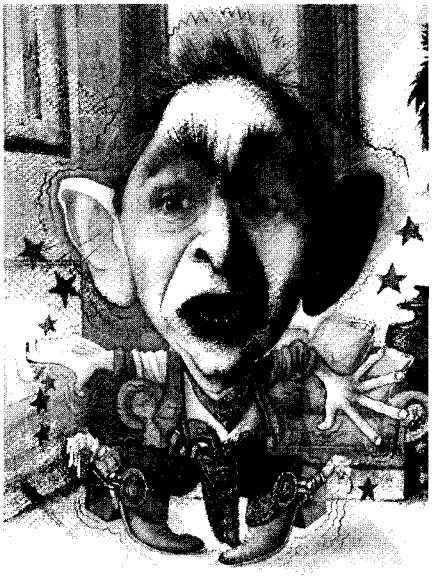
The problem with Bush's "comprehensive national energy strategy"

JERRY TAYLOR

IT'S regrettable that conservatives are rallying around the new Bush energy plan, because this whole debate is nine parts political theater to one part policy—and even that "one part" of policy is pregnant with economic and rhetorical mischief. To begin with, conservatives should not be cheering the introduction of a "comprehensive national energy strategy," any more than they cheered Hillary's "comprehensive national strategy" on health care; these are matters to be addressed by the free market, not government policymakers. But they insist that "energy's different," that excessive regulation and environmental opposition have shut down energy production and delivered us into a mess that only a "comprehensive national energy strategy" can sort out.

Really? Today, without any guidance from a comprehensive national strategy, investors are pouring billions into the energy sector. We're in the midst of a power-plant construction boom, with some 90,000 megawatts of new electricity capacity scheduled to come on line by 2002 and a staggering 150,000–200,000 megawatts by 2004. This will not only burst the electricity-price bubble but will probably, in the near future, produce an electricity glut. Billions are flooding into the natural-gas market. High gasoline profit margins are inducing foreign refineries to enter the American market for the first time in decades, and sparking new investment in domestic refining capacity as well. Barring some unforeseen supply disruption in the refining sector, gasoline prices will begin to decline slowly—but steadily—this summer.

So why did energy prices shoot up in the first place? Because energy markets,



like most commodity markets, are subject to boom-and-bust cycles. Energy prices, adjusted for inflation, have been more or less plummeting for 15 years. Investors took money out of production and exploration budgets because profits were hard to come by. The bust suddenly ended last year, catching almost everyone by surprise, and the boom is now on. Investors are scrambling to expand supply, but capital investments take time. Let me make this simple: High prices lead to high profits, which lead to increased investment, which leads to lower prices. It might take some time to get from here to there, but it will happen—as long as government doesn't do anything foolish in the meantime.

How does the administration's plan stack up in that regard? Let's look at the highlights. The rhetorical heart of the Bush plan is the cry for *energy independence*—which is lousy public policy. Energy independence is, put simply, a mirage. Domestic oil prices reflect international supply and demand conditions; even if *all* our oil came from domestic sources, a cut in OPEC production would raise the price of West Texas crude. In 1979, OPEC production cuts caused prices to soar in "energy independent" Great Britain just as dramatically as they did in "energy dependent" Japan. The bottom line is that the U.S. buys more than half its oil from abroad for a reason: It's cheaper than the oil we could produce at home.

Which brings us to the issue of oil drilling in the *Arctic National Wildlife Reserve (ANWR)*. The case for drilling in ANWR is not that it will immunize our economy from OPEC; it can't. The real reason for drilling there is that ANWR might hold so much crude that it could reduce OPEC's share of the market, and thus reduce the cartel's leverage over world prices. Industry's best estimate is that ANWR could produce about 1 million barrels of oil per day at its peak; that's a 1.25 percent increase in global production that, all things being equal, would reduce world oil prices by about 10 percent, from $29 per barrel to about $26. Not much, but better than nothing.

The administration has also played up the *nuclear* component in its energy plan; they maintain that the only reason investors haven't been jumping at nuclear power is that the government has effectively shut down the industry. Vice President Cheney, for instance, laments that "the government has not granted a single new nuclear power permit in more than twenty years." But there's a reason for that: No utility company has *submitted* such an application in more than twenty years. Investors have stayed away because nuclear-fired electricity is about twice as expensive as coal- or gas-fired electricity. The marginal costs of nuclear are indeed lower, but the capital costs are much higher; electricity costs skyrocketed by 60 percent between 1978 and 1982 largely because of a wave of nuclear power plants that came on line in the late 1970s.

The "*Clean Coal*" initiative is another dud. It has raked in $5.4 billion in government subsidies since 1985, and recipients can't even spend the money fast enough. The problem is that "Clean Coal" plants are 50 percent more expensive to build than conventional coal-fired plants. Not a single commercial order has yet been placed for one of these white elephants.

This underscores the more general

Mr. Taylor is director of natural-resource studies at the Cato Institute.

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problem: If you're an organized energy lobby in Washington, the Bush plan is the equivalent of—in Vegas—hitting five cherries on a slot machine. Everyone is a winner: oil; gas; hydrogen; hybrid and fuel-cell vehicles; superconductors; landfill methane; coal; ethanol; nuclear; solar; wind; bus-, truck-, and automobile-engine manufacturing; fuel cells; biomass; industrial cogeneration plants—the list never ends. This blizzard of new federal research and development initiatives, accelerated depreciation allowances, production tax credits, consumption tax credits, and subsidies for energy businesses competing in foreign markets is all coming out of your tax cut.

It's unclear why we need to bribe investors with tax money to take advantage of profit opportunities. And corporations aren't the only ones having tax dollars thrown at them: More tax money is being thrown at the notoriously wasteful Low Income Energy Assistance Program, the Weatherization Assistance Program, and the Northeast Heating Oil Reserve. For this we elect Republicans?

While these spending hikes are very real, a lot of the *regulatory streamlining* the administration promises is too vague or too qualified.

On the plus side, the plan calls for the repeal of the antiquated Public Utilities Holding Company Act, which dictates both the organizational structure and permissible service territories of electric-power companies. It also promises to expedite the renewal of permits for construction of the Trans-Alaskan natural-gas pipeline, potentially a valuable energy source a few years down the road.

On the minus side, however, the plan contains ominous rumblings about increasing fuel-efficiency standards for automobiles—standards that are simply back-door taxes on big cars, SUVs, and minivans. Worse, it threatens further federal prohibitions on "energy-inefficient" (that is to say, "cheap") appliances; directs federal agencies to pursue international agreements to address global climate change (haven't we had enough of that for a while?); and calls for tighter regulation of power-plant emissions of sulfur dioxide, nitrogen oxide, and mercury (is more environmental regulation of power plants really what we need now?).

To summarize, what we have here is the political equivalent of a sugar pill: The Bush energy plan won't do much good, but it won't do too much harm either—and that's pretty good for government work. We can be thankful for what the plan *won't* do: It resists, for example, the call to impose Carter-era price controls on electricity and gasoline markets—no small accomplishment in this supercharged political environment. The energy-conservation measures the administration proposes—while annoying and economically counterproductive—are a pale shadow of the sort of things the Left would like to slap on the economy.

But on balance, we'd be better off if the administration had not opened this political can of worms at all. Had they simply focused on tinkering with regulations where necessary, and revising federal land-use rules where politically possible, we would not need to tolerate so much chaff in return for so little wheat.

And that there's a lot of chaff for conservatives to swallow is undeniable. Thanks to the administration's determination to—rhetorically—seize the reins of the energy economy away from the market, we're now in the midst of an intellectually empty but still white-hot argument about whether we should more heavily subsidize this rather than that. We're also subjected to a bizarre debate about whether "the nation" (as if we had a command-and-control, Soviet-style economy) should invest more heavily in supply or invest more heavily in conservation.

And to make its case, the administration is finding it useful to dredge up ludicrous arguments, such as the horrific implications of importing oil or the apocalyptic consequences of having investors go about their business without some detailed, comprehensive federal energy planning document to guide them. The vice president even spent a few days after the plan's release arguing that the federal government ought to do whatever it can to keep oil prices from dropping too *much* in the future. The administration has, evidently, joined the crowd that believes the feds know the right price for oil—and should do whatever it takes to get it.

This "comprehensive national energy strategy" *might* work in scoring some political points—but conservatives should be clear on the reality. **NR**

■ COVER STORY II ■

Markets vs. 'Crises'

How energy problems get solved—or worsened

WILLIAM TUCKER

"HAPPY families are all alike," wrote Tolstoy at the beginning of *Anna Karenina*. "Every unhappy family is unhappy in its own way." The same could be said for markets. Every working market is happy in that it functions smoothly, efficiently, and without conscious effort. It is only when people become unhappy with the market and try to manipulate it through conscious control that everything goes awry. The name for one of these malfunctions is an "energy crisis."

For the second time in 30 years we are going through what appears to be an energy crisis. This one hasn't reached the proportions of the one Richard Nixon, Gerald Ford, and Jimmy Carter presided over—yet. But all the elements are there. Suddenly, every politician and his brother have a better idea of how the market should work; there are calls for price controls—just temporary, of course, but enough to get us through the current emergency, in which "a true market no longer exists."

But the market does, in fact, exist; and it must be understood. A market is what spontaneous-order theorists call a "complex adaptive system." It has a basic integrity and stability, but is also highly sensitive to external change. If a fungal disease strikes the coffee crop in Brazil, Starbucks customers in Seattle will know it within a few weeks.

The market takes both past and future into account. For decades, conservationists like Teddy Roosevelt argued that markets couldn't handle the prob-

Mr. Tucker is author of *Progress and Privilege: America in the Age of Environmentalism.*

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lem of *future* consumption; they warned that we would eventually "run out of resources." But, as Julian Simon so boldly predicted in his 1981 book *The Ultimate Resource*, we will never run out of resources. Key commodities actually get cheaper as substitutions occur and we learn to use them more efficiently. (In his famous wager with doomsayer Paul Ehrlich, Simon won some money by betting that key commodity prices would fall over ten years.) To know how to adjust to shifting resource patterns, all we need do is follow the signals of the market: If the price of oil goes up, consumers will conserve, and wildcatters will hunt new supplies. The obscure inventor of a carburetor that burns less gasoline will find the world beating a path to his door.

There's only one problem: The public doesn't always accept these signals as legitimate. To the average Joe, the only real energy crisis is when energy is no longer "affordable." To him, rising prices are not the signal of a shift in the resources base but an indication that the energy companies are seeking "excess profits" by "gouging consumers." If there's oil to be drilled or solar collectors to be installed, that's somebody else's business; the only task Joe cares about is getting energy prices back down to where they were last year. And at this point there is always some politician—almost inevitably a Democrat—willing to support Joe's instincts. Markets are wrong, he will say. They are cruel, stupid, unfair, and manipulated by the producers; politicians can do a much better job. It is at this point that an energy transformation turns into an energy crisis.

This is what happened in the 1970s. In 1968 (in response to environmentalists' demands for low-sulfur Indonesian oil to replace coal in West Coast power plants), we started lifting the longstanding oil-import quotas that held foreign supplies at 12 percent. Imports quickly rose to 30 percent. Sensing their new market leverage, the Arabs imposed a five-month oil boycott in retaliation for Western support of Israel in the Arab–Israeli war of 1973. The OPEC nations, feeling their muscle for the first time, quadrupled oil prices. For the first time in history, the oil-producing nations—the owners of the resources—were exercising market power. The response in the West was what one would expect: a diligent new effort to look for energy resources, plus a crash program of energy conservation.

The fly in the ointment was President Nixon's wage-and-price controls, left over from 1971. Most had been phased out by 1973. Spurred by public outcry against the oil companies, however, Congress, with the consent of President Ford, in 1975 extended the price controls on oil. This was hugely counterproductive: It discouraged domestic production and encouraged consumption. The result was a widening gap between demand and supply. We filled the gap by importing more oil. From 1976 to 1979—despite all of Jimmy Carter's bluster about the "moral equivalent of war"—our imports climbed from 33 percent to nearly 50 percent. By 1979, we had stretched world supplies so tight that when the shah fell, the loss of Iran's 3 million barrels a day set off another "oil shortage." In his second week in office, President Reagan abolished oil price controls, and this "energy crisis" magically disappeared.

There's always a Democrat willing to support the average Joe's instincts. Markets are wrong, he will say.

Unfortunately, the hubbub about energy got some politicians thinking (always a dangerous development). One of them was California governor Jerry Brown, who became enamored of the antinuclear theories of environmental guru Amory B. Lovins. In his 1977 book *Soft Energy Paths*, Lovins argued that conserving energy was much cheaper than building power plants. Minor increments in demand could be met by building small industrial "co-generation" plants; meanwhile, central power stations could gradually be replaced by "alternative energies" such as windmills, small hydroelectric dams, and solar collectors.

Maybe some of this was true, maybe it wasn't, but California politicians were unwilling to find out what the market had to say about it. Instead, Gov. Brown ordered a forced march down the soft-energy path, with countless subsidies and mandates to utility companies. As a result of these measures, California now ranks dead last among the 50 states in electricity generation per capita; but the state's abandonment of central generating stations, and its attempted transition to alternative energy, proved disastrous. Since 1980, the California Public Utilities Commission (CPUC) has not commissioned a single central generating station. The largest plant built is a 385-megawatt co-generating station owned by ARCO. (By way of contrast, an average nuclear plant contributes about 1,000 megawatts.) Meanwhile, the CPUC forced utilities to sign 20-year contracts with every windmill farm and backyard diesel generator in sight. By 1990, as a result of these expensive electricity sources, power costs were twice as high in California as in neighboring states.

This disparity encouraged California businesses to promote the nation's first attempted deregulation of electricity. Unfortunately, the deregulation affected only *wholesale* prices, while leaving retail prices capped. The resulting gap was paid out of the utility companies' treasuries. The problem is not that conservation and renewable resources are, in principle, unworkable; California's mistake was its unwillingness to let the market decide these issues, and its attempt to force its own solutions. When the message came back that the soft path was proving too expensive, the state ignored the evidence and clamped down on retail prices. The result is being called the "California electricity shortage."

Environmentalists, if they chose to be candid, would stand up and tell the public that higher retail prices are needed to encourage more energy conservation. But none has the nerve to do this; instead, they hide under the bed or, worse, join the pack of hounds baying that the energy companies are Public Enemy Number One, nothing more than greedy polluters. In a May 6 front-page story promoting energy conservation, the *New York Times* described the environmentalists' heaven: Fort Polk, La., where "electricity use during peak hours fell by 43 percent after base man-

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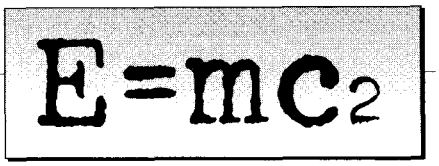

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RICHARD WOLFSON (Ph.D., Dartmouth College) is Professor of Physics at Middlebury College in Vermont, where he has also held the George Adams Ellis Chair in the Liberal Arts. Decades of teaching at Middlebury, with its strong emphasis on the humanities, has made him an expert at demonstrating the logic and significance of physics to students from many fields. His wide-ranging research interests include plasma physics, medical physics, solar-energy engineering, global climate change, and theoretical astrophysics. His writings have appeared in *Scientific American*, and he is the author of the textbook *Physics for Scientists and Engineers*, now in its 3d edition.

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agers installed fluorescent lights, low-flow shower heads, new attic insulation and new home heating and cooling systems." If only the whole country could become one big army base—think how much we could accomplish!

In a free society, the only incentive that will lead people to change their habits is price. Yet whenever prices go up, everyone shouts "Conspiracy!" Instead of reasonable discourse, we get the agenda of the consumer-environmentalist: "Bring me all the energy I want at prices I can afford and don't pollute the environment while you're doing it!" Failure to fulfill this mission is a felony. If President Bush tries to keep prices down by developing new supplies in the Alaska National Wildlife Refuge, he is "only trying to enrich his friends in the oil industry." If new supplies aren't developed and prices go up, then . . . ditto.

■

Energy companies can do very well in an energy crisis, with no help at all from the president.

■

The truth is, energy companies can do very well in an energy crisis, with no help at all from the president. Their real allies are the environmentalists themselves. No producer ever corners any portion of a market without erecting barriers to entry against other competitors. Today, the major barriers to entry are all environmental. In California, where nobody can build power plants, established energy companies are making out like bandits. In Texas, where a gang of high-schoolers could probably win permission to build a power plant as a class project, the same energy companies face a supply glut and razor-thin profit margins.

People who decry the fact that energy companies are making high profits at a time of high prices don't understand that the prospect of high profits is precisely what will encourage the innovation that will *stave off* a full-blown energy crisis. It takes a mature public to understand these things. Do we have the leadership to forestall the stampede? We'll soon find out. **NR**

■ COVER STORY III ■

Guzzling, Gorgeous & Grand

SUVs and those who love them

DAVE SHIFLETT

READERS of Dickens may occasionally imagine what it might have been like to peer from the guillotine and see Madame Defarge knitting her Book of Sin. One would expect a look of terrifying certitude and ferocity, and while having one's head severed would constitute a profound setback on many fronts, one would at least be without her. As it happens, the old girl has many descendants in our own time, some of whom are glaring at me.

The indictment: Those of us who drive sports utility vehicles are guilty of crimes against fellow drivers, the environment, and world stability. We must be left horseless, if not headless.

This is a terrible turn of events. The fact is, we SUV drivers are peaceful, humble people of modest hopes and dreams, who happen to like driving around in large vehicles, often because they accommodate our heaving guts, which often reflect an infatuation with the handiwork of Harland Sanders and August Busch. Yet when we see ourselves denounced by our detractors, it is as if an alien race were being described.

We readily admit that our Big Rides use a bit more gas than the 48 horsepower vehicles (add 3hp when sails are raised) favored by those who would save the world from us. We are talking about the difference between the 27 miles per gallon average for regular automobiles and the 20 mpg rating of many SUVs. Because global warming is an article of faith among our critics, we're getting additional blame for melting icecaps, flooded coastlines, and the eventual appearance of palm trees in New York City.

We believe these charges are grossly exaggerated, and we also reject the assertion that our beloved tanks are killing machines. Official statistics tell us that around 4 percent of road fatalities are the result of SUV–auto crashes, which is of course terrible, but not all those accidents are our fault. Overall, SUVs are blamed for an additional 2,000 deaths per year, though as journalist Ken Smith has pointed out, that number is entirely speculative and must be taken very lightly.

Our critics are hardly inclined to do so. Sen. Dianne Feinstein, whose calmly sculptured coiffure cannot conceal what some call her Inner Inquisitor, calls us a subspecies of "energy gluttons" and backs legislation that would force us back into the slightly modified go-carts that pass for "mid-sized sedans." Ms. Geneva Overholser, whose placid first name cannot conceal a slightly hectoring personality, has denounced SUVs as "inexplicably popular extravagances" and "nonsensical, gas-guzzling behemoths." Geneva, who was once ombudsman for the *Washington Post*, even admitted that "I feel like a lunatic about SUVs and I hereby invite you to join me in raving."

A line quickly formed. A. J. Nomai said the SUV "fad" is "all the rage among yuppies, suburban families and seemingly testosterone unbalanced males." Columnist Ellen Goodman called SUVs "gas-guzzling, parking-space-hogging bullies of the highway." Bullying, as we have come to know, was the cause of the Columbine massacre, so this is a serious charge. Ms. Goodman also insists "the SUV backlash is growing so strong that today's status symbols may become the first socially unacceptable vehicle since cars lost their fins."

This all adds up to what crime specialists call a gang bang, and because we are suburban types who steer clear of that kind of activity, we're in shock. This is especially true when our kids join the fray. We understand, of course, that this kind of protest reflects our

Mr. Shiflett is a writer living in Midlothian, Virginia.

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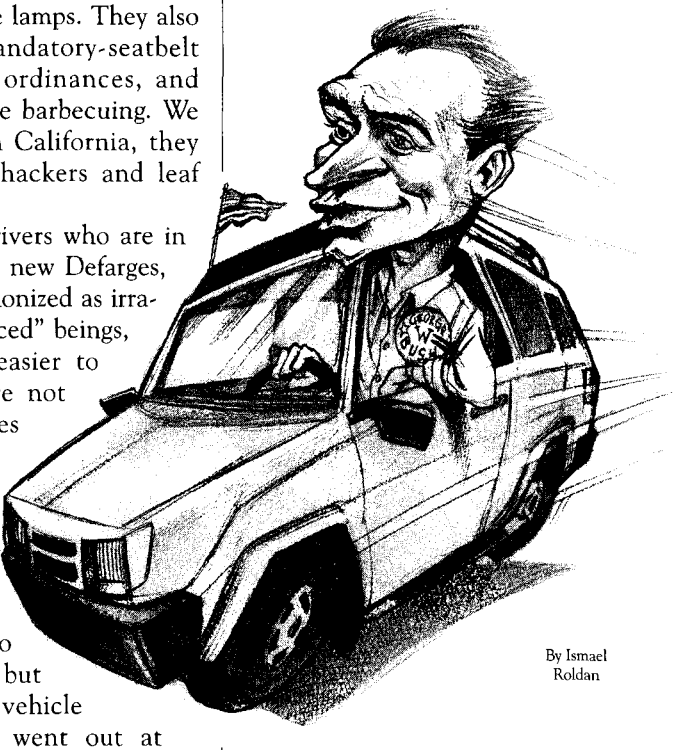
peaceful and prosperous times. The Cold War is over, and our youth, having had their molars sealed in infancy, have never even worried about tooth decay. As Bill Clinton (who goes around in very large vehicles) said after taking an egg in the ear, it's good for kids to be mad about something, and this is certainly a safe subject.

We can also chuckle over the fact that, for many of our critics, mass transit means taking an Airbus to Nice. We were especially gratified by recent news reports that DNC chief Terry McAuliffe drives a Cadillac SUV that gets about 10 miles to the gallon, while Dick Gephardt, currently on the warpath against "energy gluttons," drives a Ford SUV. These leaders, it was further reported, have garaged their Big Rides until the political assault on the president's energy policy is over.

Which, it seems, is what much of this criticism is about. We SUVers are mere pawns in a larger war. The people on the other side not only want us all to drive cars whose backseat passengers have to ride with their chins on their knees; they have a thing for windmills, solar panels, boarded-up nuclear-power plants, and kerosene lamps. They also tend to support mandatory-seatbelt laws, antismoking ordinances, and restrictions on home barbecuing. We understand that, in California, they went after weed whackers and leaf blowers—and won.

Now it is SUV drivers who are in the crosshairs of the new Defarges, and we're being demonized as irrational and "unbalanced" beings, making it all the easier to whack us. Yet we're not nearly the menaces we're cracked up to be, as perhaps my own story illustrates.



By Ismael Roldan

My first SUV was a 1989 Ford Bronco II. This was no bully machine, but instead a pathetic vehicle whose first engine went out at 52,000 miles (Ms. Goodman tells us she drives a Saab, which, of course, is just perfect). The Bronco passed into the nether world after a roll-over accident, which critics will find pleasing. That the 16-year-old driver was doing 45 down a 15-mile-per-hour stretch of Hairpin Alley, swerved into a steep ditch, and overcorrected, may have had something to do with the crash, though one hates to point fingers. In any event, the mangled Bronco was replaced by a Toyota 4-Runner, purchased with 138,000 miles on the odometer. The SUV community, as it happens, admires diverse peoples, the Japanese among them, especially since they build machines that last. This one should go 300,000 miles, and because of my relatively light driving schedule that means 20 years of service, by which time we may well have been forced into vehicles that pass muster with environmental activists, such as rickshaws. This is not a complaint. I have sent my wife into training in anticipation of this development, and should it arrive we will go quietly, save for the occasional crack of the accelerator.

Meanwhile, our aged 4-Runner performs its commonplace duties, such as hauling sound equipment for a variety of humble bands that entertain humble citizens at humble watering holes. It also provides a place to sleep during music festivals and road trips. Ms. Goodman, who no doubt snoozes in her Saab between speaking engagements, should be able to empathize. Indeed, if she would only reach out to SUV owners as she does to members of other victim classes, she might find we are merely her fellow men.

Doubtful. It sometimes seems that another major beef against the Big Ride is curiously sexual in nature. Ms. Goodman makes the point: "I am old enough to remember when the shape of a car was female, Detroit's sex appeal was all curves and cars were pitched to men with blondes draped over their hood. Now we're sold bivouac cars with brawn. It's no accident, one reader reminded me, that the Nissan Pathfinder was nicknamed the 'hardbody.' . . . If the minivan is the soccer mom, the SUV is the muscle man, even when it's driven by a woman."

Taken together with the observation about "testosterone unbalanced males," we start to sense that our critics are not merely out to park vehicles. They believe they're shutting down the four-wheeled version of the stag room. Many of us do not understand how people got such an idea, though we are somewhat comforted in knowing that perhaps we're not the only loons in **NR**

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■ POLITICS ■

California, Here He Comes?

The president and that troublesome state

BYRON YORK

"I REALLY believe that the week before the election, we were within five points in California," says Gerald Parsky, a little wistfully, as he describes George W. Bush's presidential campaign in the nation's largest state. Parsky, an investment banker in Los Angeles, chaired the Bush effort in California, and even though the GOP ticket was soundly whipped—Al Gore won the state by 12 percentage points—Parsky has become an extraordinarily influential figure in Bush's circle of advisers. Virtually unknown in Washington, Parsky talks to top Bush aide Karl Rove several times a week (that's in addition to their regular politics-and-policy phone conversation every Sunday). He's deeply involved in some of the president's top-priority initiatives, including Social Security reform and the selection of federal judges. And on top of that, he's playing a key role in a project that Bush has been quietly pursuing since last Election Day: the effort to repair California's badly broken GOP and help the president win reelection in 2004.

Parsky, 58, fits the Bush-administration type: a high official in the Ford years (assistant secretary of the Treasury) who went on to a successful career in business before joining the 2000 campaign. Parsky got to know the first George Bush in the mid 1970s and kept up with the Bush family through the years, but didn't join the ranks of W. supporters until much later. "I met [Parsky] in '97," recalls Rove. "He was recommended by a number of people, including Bush 41, as somebody we ought to get to know." By late 1998 and early 1999, just before the Texas governor announced his presidential campaign, Parsky was regularly visiting Austin to give advice. "I felt that [Bush] was conservative, as I am, but at the same time he felt the need to reach out to people who felt left out by the Republican party," Parsky remembers. "The theme of expanding the reach of the party was very important in California."

After the election, Parsky chose not to come to Washington with the new administration, preferring to stay on as chairman of Aurora Capital Group, the investment firm he founded in 1991. But he stayed in close touch with the Bush team, which quickly tapped him for several projects. Some of them, like his appointment to the Social Security commission, relate directly to his experience in government and the capital markets. But others, like the judicial-selection process, have placed Parsky in a new role, dealing with what is perhaps the most contentious issue facing the Bush administration.

■

It's hard to overstate how different the political world would be if Bush had won California.

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For months now, the White House has been preparing for intense fights over federal judicial nominations. The administration faced a particularly grim situation in California, with its two liberal Democratic senators, Dianne Feinstein and Barbara Boxer, who could, if they chose, block any White House choice for any seat in the nation's largest and most politically important state. In mid March, White House counsel Alberto Gonzales called Parsky with a request for help.

The president had made a power-sharing deal with the two senators, agreeing to the creation of a new system to select candidates for the federal district courts in California. Gonzales asked Parsky to oversee four new committees that will cover different geographical regions of the state. The White House, through Parsky, will appoint three people to each committee, and Feinstein and Boxer will also appoint three. The committees will select candidates for each judicial position, and it will take four votes for a candidate to win a spot, which means at least one Democrat will have to agree to each nominee; Parsky will have the final say on nominees.

Some conservatives accused the White House of caving in to the Democrats; *Wall Street Journal* columnist Paul Gigot called the deal a "huge and unusual concession." But past administrations have also bargained with senators over judges, especially at the district level (while maintaining tighter control over appeals-court nominations). Bush's move was, more than anything else, a bow to the realities of California politics. "It's definitely a trial system," Parsky says. "The White House could have said, 'We'll just pick our people and we'll let you know,' but rather than do that, they've said, 'Let's get the senators involved.'" Although it's unclear precisely how the arrangement will work, it's safe to say it will produce less conservative candidates than the administration would select on its own. Choosing his words carefully, Parsky says only that the committees will look for "people where ideology isn't the overriding qualification, while recognizing that the president is a conservative."

The White House's relatively weak bargaining position stems not only from the GOP's problems in the Senate, but from Bush's poor showing in California last November. It's hard to overstate how different the political world would be if Bush had won the state—and it's also hard to imagine Bush winning there in 2004. But that is Parsky's job in yet another assignment that is critically important to the White House: overseeing the rebuilding of the California state Republican party.

Badly damaged by a long list of political missteps, the California GOP is today essentially a volunteer operation, without professional management, strategists, a communications operation, or any of the other necessities of top-level politics. For example, it has been woefully ineffective in responding to the attacks of Gov. Gray Davis, who has accused Bush of "turning a blind eye to the bleeding and hemorrhaging" in California as a result of energy shortages. The GOP has also

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alienated the state's powerful Hispanic population, done poorly with other minorities, and, on top of all that, suffered from a dearth of political talent. "It's sort of pathetic," says Michael Barone, coauthor of *The Almanac of American Politics*. "Most elected California Republicans have the political instincts of a stone."

"It's no secret that the party needs rebuilding," says Rep. David Dreier, a Parsky friend. "I've spoken about it with the president, and it's a high priority for him." And Rove, the White House's most astute California-watcher, is particularly aware of the problem. "They need to begin to recruit good candidates," he says of the state party, "to undertake programs to rebuild the grassroots structure of the party, and to involve a broader group of people in the decision-making process."

To that end, Rove keeps in touch not only with Parsky, Dreier, and other members of the California House delegation, but with leaders in Sacramento like state senator Jim Brulte ("I just got an e-mail from Brulte two minutes ago," Rove said during a recent conversation). "The party has to change its culture," Brulte says. "We're trying to professionalize the operation. And if the White House weren't interested, Parsky wouldn't be part of it."

So Parsky and his team are making changes. They plan to spend between $20 million and $30 million to totally reorganize the party—to select a powerful chairman, set up a media operation, pick political professionals for key offices, and work more closely with Republican candidates statewide. And as he does that, Parsky is constantly taking Bush's political temperature in California with an eye toward '04. Just this year, he's commissioned four statewide polls on Bush's popularity, with another set for the end of May. In the most recent survey, Bush got a 61 percent job-approval rating, with 31 percent disapproval. "That's the highest he's been," Parsky says hopefully. "In February, it was 58 percent." Parsky has also found, to his relief, that most Californians don't blame Bush for the energy mess.

Those are all at least mildly good signs, and at least for now, Parsky has the benefit of low expectations—and in some cases, no expectations. Despite all the work going on, many observers believe that Bush has given up any hope of winning California. In mid April, for example, the *New York Times* published a story headlined "Bush Is Devoting Scanty Attention to California," saying the president "appears to have relegated the state to political purgatory, reflecting his advisers' judgment that he cannot win here in 2004." The *Times* pointed out that, in contrast to the California-loving Bill Clinton, Bush has not yet traveled to the state as president (that will change soon, when the White House announces Bush's first visit).

The president's team laughs off the Bush-gives-up talk. "Totally wrong," says Parsky. "Just silly," says Dreier. "You'll notice that never comes from us," says Rove. "It usually comes from somebody with a 'D' by their name who doesn't want to see us out there."

Meanwhile, the White House is quietly working, quietly organizing, quietly planning to run a winning race in California in 2004. Is it possible? Maybe. But even if the odds are long, the reward makes the effort worthwhile. In the next election, California will have 55 electoral votes. How can Bush write them off? "It's not going to be easy," Parsky says, "but I really believe we've planted the seeds for a major turnaround." **NR**

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■ POLITICS II ■

The Olson Project

Democrats against a Bush nominee

KATE O'BEIRNE

On May 17, in a small Senate hearing room jammed with journalists, it was payback time. Theodore Olson is eminently qualified to be solicitor general, and everyone in the room knew it. Unfortunately, the Democrats in the room also knew he had been George W. Bush's Supreme Court advocate in the Florida recount controversy—so they wanted to punish him. And sadly, the Olson flap is not just payback, but prelude: It reveals the scorched-earth tactics determined Democrats are prepared to employ to block any Bush judicial nominee they don't want to see on the bench.

The Democrats were basically putting Bush on notice: Even nominees that he thinks non-controversial might not be spared the Olson treatment—because controversies, if none exist, can simply be manufactured. Sen. Patrick Leahy, top Democrat on the Judiciary Committee, claims that Olson misled the committee at his confirmation hearing. At the hearing in question, Leahy noted that Richard Mellon Scaife had funded *The American Spectator* and its "Arkansas Project," and asked Olson if he had been involved "in the so-called Arkansas Project at any time." Olson replied that he had become aware of the project when he served on the magazine's board of directors, but "I was not involved in the project in its origin or its management."

Leahy and Olson both understood that the "Arkansas Project" was a five-year effort funded by Scaife, beginning in 1993, to investigate President Clinton's Arkansas days. In 1997, following a review of the project, the *Spectator*'s board shut it down. Eight people familiar with the project, including the magazine's top editors and the project's chief writer, confirm that Olson was not involved in the Scaife-funded efforts. Furthermore, Olson's lack of involvement shouldn't surprise the liberal writers of *Salon* magazine, who obsess about the Arkansas Project as the wellspring of the "vast right-wing conspiracy." In their book, *The Hunting of the President*, *Salon* writer Joe Conason and his co-writer Gene Lyons explained: "From its inception in November 1993, the Arkansas Project was kept so quiet that even senior staff members of the *American Spectator* had little notion of what the project was intended to do . . ."

Reformed Clinton scourge David Brock, of "Troopergate" fame, insists that Olson was involved in the Arkansas Project; Brock is the sole source contradicting Olson's sworn, and corroborated, testimony. But Brock appears to be using a unique definition of the Arkansas Project, under which all of the scores of people who talked with *American Spectator* staff about Clinton scandal stories were unknowingly involved in the project. As Brock told the *New York Times*, "It was my understanding that all of the pieces dating back to 1994 that dealt with investigating scandals pertaining to the Clintons, particularly those that related to his time in Arkansas, were all under the Arkansas Project." Although this definition of the project differs from Sen. Leahy's own, Leahy relies on Brock's allegations to find the "discrepancies" that he claims raise questions about Olson's truthfulness. Leahy accuses Ted Olson of "playing word games," but Leahy himself seems to be guilty of that offense.

Ted Olson by Ismael Roldan

However tissue-thin a Democratic accusation might be, some media friendly can be counted on to trumpet it. In Olson's case, the *Washington Post* was willing to credit David Brock—despite his clear animus against his former colleagues—and to recycle discredited *Salon* stories about Olson and the *Spectator*. A week after the *Post* story that Democrats cited as justification for delaying Olson's nomination, there was a sharp rebuke by the paper's own editorial staff. The *Post* editors endorsed Olson, criticizing the "political payback" on display and declaring that "there's no evidence that [Olson's] testimony was inaccurate in any significant way."

Because some Democrats might be tempted to share the *Washington Post*'s editorial view that the "discrepancy" allegations are baseless, Leahy decided to shift his ground and transform the nomination dispute into one over procedural matters. Once it is claimed that their prerogatives have been violated, the Senate Democrats can be counted on to march in lockstep. Sen. Orrin Hatch was determined to avoid this, so—when the allegations first surfaced—he was a model of bipartisan cooperation: He agreed to delay a vote on the Olson nomination until the charges raised by the *Post* story could be examined. Within days, Brock's allegations were credibly refuted, but Leahy remained unsatisfied: In a party-line vote, the committee deadlocked on the Olson nomination. Under the new rules governing the evenly divided Senate, the tie vote in committee means that majority leader Trent Lott can force a vote by the full Senate. But as long as committee Democrats are complaining about the "process"—specifically, an allegedly incomplete record and the asserted need to interview witnesses—minority leader Tom Daschle can keep his troops in uniform opposition to the nomination. At the conclusion of Olson's appearance before the committee, Ted Kennedy told Olson that he

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intended to support his nomination—but later opposed Olson in the committee vote because, as a Kennedy aide explained, "It's about this process."

Sen. Lott is now expected to accommodate Sen. Leahy's requests, in some fashion, to avoid a possible filibuster of the Olson nomination—because a filibuster of Olson would render the atmosphere for future Bush nominees even more poisonous.

The president should not avoid learning the lesson of the Olson controversy: A nominee's record and reputation are no protection against character attacks, should Senate Democrats decide to declare a nominee unfit for office. Ted Olson is among the most distinguished and experienced appellate lawyers in the country. Testimonials about his skills, professionalism, and integrity were offered by some of his most admired Democratic counterparts. Olson's character witnesses include Prof. Laurence Tribe, his opposing counsel in the first Supreme Court case on the Florida recount, and Walter Dellinger, acting solicitor general in the Clinton administration. Floyd Abrams, America's most prominent First Amendment lawyer, informed the Senate that he had known Olson for 20 years and had always been impressed with "[his] talent, his personal decency, and his honor." And even though Olson is an unapologetic Clinton critic, Clinton attorney Bob Bennett says, "I have no doubt that Ted Olson is a man of honor, credibility, and personal integrity. He should be confirmed."

Even as President Bush talks about his desire to reach across the aisle in a spirit of bipartisan cooperation and to change the rancorous tone in Washington, Democrats are using trumped-up charges to smear one of his top nominees: not a good sign for anyone who hoped there would be some outstretched hands from the Democratic as well as the Republican side of the nation's capital. **NR**

■ POLITICS III ■

Of Judges and Senators

How to think about judicial nominees

RAMESH PONNURU

IT is a fact of American political life, predictable as the tides, that a party's view of the proper division of power among the branches of government depends on which branches it controls. During the New Deal, conservatives worried about the autocratic potential of a strong executive. By the 1980s, they were lustily cheering executive power

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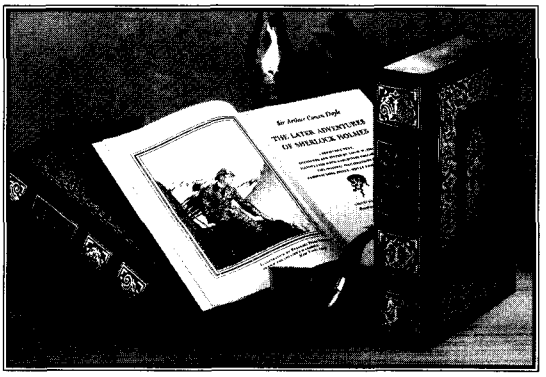

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and regarding Congress as a den of parochialism and obstruction. It was ever thus: The Jeffersonians who feared an American king stopped worrying when Andrew Jackson strengthened the presidency.

While a party's position may change, there is one constant: Whatever position is adopted will be defended in the most high-flown terms of principle. Congressmen will try to block a president from the other party, not to get their way, but to guard Congress's place in the constitutional order. The president's party will respond with a similar argument about executive prerogatives. Political choice becomes constitutional duty. As the late Meg Greenfield once remarked, in debates of this kind the politicians always seem to be saying, Don't blame me—Alexander Hamilton made me do it.

We're having one of those debates now, this time over judges. Senate Democrats have warned that they may refuse to confirm many of President Bush's nominees to the federal bench. This refusal, they say, is a proper exercise of their constitutional power to "advise and consent" on nominations. When Republicans object that the president's picks deserve deference, the Democrats retort that the GOP showed no such deference to President Clinton.

Untrue: Republicans were not very tough on Clinton's judges. His Supreme Court nominees, Ruth Bader Ginsburg and Stephen Breyer, sailed through the Senate with 96 and 87 votes respectively. Clinton got 377 federal judges confirmed, about the same as Reagan. (Yes, the judiciary is slightly larger now than it was then, but Reagan also had a Senate controlled by his party longer than Clinton did.) Only one Clinton nominee, Ronnie White, was defeated on the Senate floor; another, Frederica Massiah-Jackson, had to withdraw her nomination. Both nominees were opposed mainly for their record in law-and-order cases. Almost half of all federal judges are Clinton appointees.

But a defense of the Republican position cannot rest with these points. For one thing, the Republicans did delay action on a lot of Clinton's nominations, especially toward the end of his second term (just as the Democrats balked at President Bush's nominations in 1992). They suggested that the federal judiciary was not severely understaffed and that therefore confirming judges was not an urgent matter.

Besides, and more important, the argument for senatorial deference isn't very compelling. It's certainly not the strongest argument for confirming Bush's nominees. Bush's nominees should be confirmed not because he's the president but because they would be good judges. And Clinton's nominees should have been opposed for the same reason. Inconsistency on procedure—opposing one president's nominees, deferring to another's—is dictated by consistency on a substantive commitment to a sound judiciary.

■

The coming battles over the judiciary are not going to be won by the side playing defense.

■

To put it another way, the question of whether a nominee should be confirmed cannot be answered without reference to judicial philosophy. President Clinton announced a litmus test for his judicial nominees in 1992: They would all favor *Roe* v. *Wade*. That was sufficient reason to oppose them. A judge who believes that judges are entitled to enforce a right to abortion not found in the text, history, structure, or logic of the Constitution is a judge with far too expansive a view of his own power. A senator who took seriously his oath of office, which pledges fidelity to the Constitution, should not have confirmed any of Clinton's judicial nominees. (After February 1999, Senate Republicans had an additional reason to say no: Almost all of those Republicans had taken the position that Clinton's lawbreaking made him unfit for office, which presumably suggests that they didn't think he ought to be naming judges either.)

Bush, of course, has made no pro-*Roe* litmus test. That, indeed, is a basis for Democratic opposition: Some senators have suggested they will not vote for a judicial nominee unless he pledges to support *Roe*. A Republican, however, can consistently have opposed Clinton's nominees while supporting Bush's because of the anti-constitutional pledge of the former set. A consistently constitutionalist position would also render Republicans less vulnerable to the charge of hypocrisy on judicial vacancies. Whatever problems a vacancy creates cannot justify filling it with a bad judge.

By the way, isn't there a symmetrical hypocrisy on the Democratic side? Having said when Clinton was in office that there was a vacancy crisis on the federal bench that justified speeding up confirmations, how can they now block Bush's nominees?

Presumably the Democrats could make their own version of the argument sketched above. They could say, that is, that Clinton's nominees should have been confirmed because they were committed to protecting constitutional rights while Bush's should be rejected because they are not. And that is essentially the case Democrats are making. Because Republicans have made only procedural arguments, the Democrats have not had to spell out the implications of their position. They have not, for instance, had to defend the view that the Constitution requires that judges nullify almost any restriction on abortion.

But the Democrats are at least talking about the right thing. They are attacking the jurisprudence associated with Antonin Scalia and Clarence Thomas. So far, Republicans have not defended that jurisprudence. Nor have they criticized the alternatives at a level above the bumper sticker. There's no reason for Republicans to be scared to make their case: The prospect of conservative judges doesn't frighten most people, and the underlying principle of self-government should be popular and easy to explain. If the coming battles over the judiciary are going to be as fierce as advertised, they're not going to be won by the side playing defense.

Republicans should be willing to make the argument over judges into an argument over the Constitution. This time, they really can say that Alexander Hamilton made them do it. **NR**

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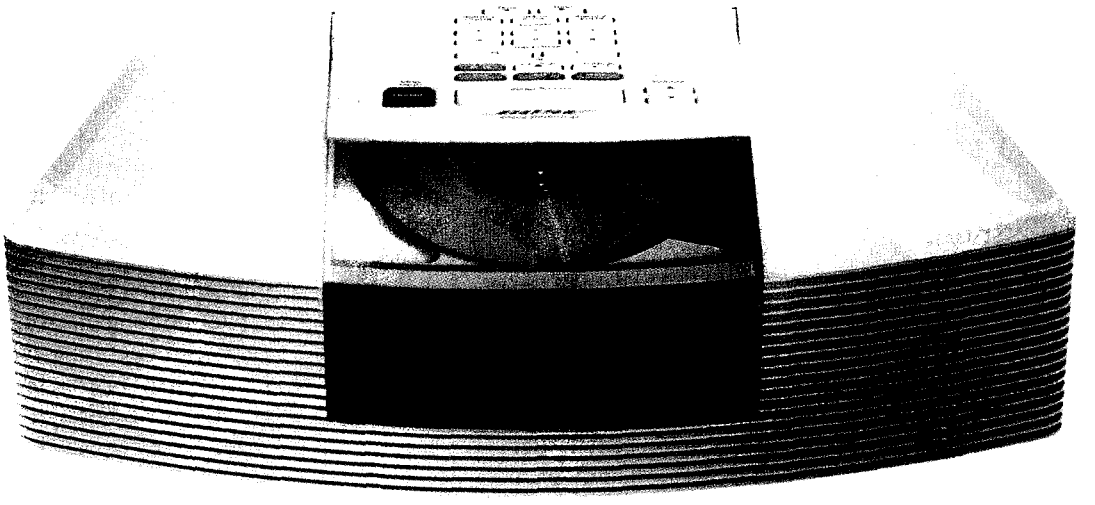

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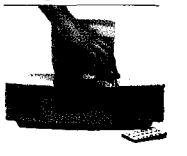

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■ PUBLIC POLICY ■

The Ultimate Penalty . . .

. . . and a just one: The basics of capital punishment

ERNEST VAN DEN HAAG

THE case of Timothy McVeigh reminds us that the endless dispute about the death penalty is mainly religious in origin, even if many of the arguments employed are secular. The religious belief is that only God can legitimately end a human life; no crime can justify the death penalty for anyone, regardless of how great and certain his guilt is, or how powerful a deterrent his execution would be. Theologians disagree on the death penalty—it is warranted by Biblical passages and was traditionally favored by churches—but it is currently opposed by a majority of religious leaders.

The secular objections to the death penalty hold that its rational purposes, such as deterrence, should be achieved by alternative means, since we can never be entirely certain that all those convicted of capital crimes are actually guilty. The possibility—in the long run, the likelihood—that some convicts are not guilty is currently the most persuasive objection to capital punishment.

Why execute anyone? Why not avoid the risk of miscarriages of justice by abolishing capital punishment altogether? Simply because there are no fully satisfactory alternatives. Life imprisonment is not necessarily lifelong; life imprisonment without parole still allows governors to pardon prisoners. The finality of death is both the weakness and the strength of capital punishment. We are not ready to do without it, yet hesitate to use it: There are many convicts on death row, but only a few are actually executed. Between 1973 and 1995, 5,760 death sentences were imposed; as of 1995, only 313 had been executed, and only some 400 have been executed since. Gary Graham, executed in June 2000, spent 19 years on death row exhausting his appeals, which were reviewed by more than 30 different judges. His case is far from exceptional.

Mr. van den Haag is an NR contributing editor.

Abolitionists often argue as though no one would die were it not for capital punishment. Yet we are not spared death in any case; a death sentence may shorten the life span, but—unlike imprisonment—it does not introduce an avoidable event, but merely hastens an unavoidable one.

Even if—without executions—society would be fully and permanently protected from murder, many people would feel that the survival of murderers is morally unjust, that the death penalty for murder is deserved, that it is a categorical imperative as Immanuel Kant thought. There is no way of proving or disproving such a moral idea, but there is little question that it is widely shared.

The issue of deterrence is raised by the abolitionists, who often point out that the number of homicides does not decrease as the frequency of executions increases; from this they conclude that executions do not deter crime. But deterrence depends on the credibility of the threat of execution, and this credibility does not depend on the number of executions. To be sure, a threat never carried out will become incredible; to deter, it must be carried out often enough to remain credible. This does not mean it has to be carried out in all cases; but the threat of execution is currently so minuscule, compared with the homicide rate, as to be altogether ineffective.

It is often argued that criminals do not calculate, and that threats are therefore ineffective. Undoubtedly that is the case for some of them, but it is unlikely that all criminals are so different from the rest of the population that they do not respond to threats at all. If there are no executions over a long period, the deterrent effect of capital punishment may well be reduced to zero; but as long as the threat of execution is not entirely empty, there will be some deterrent effect. How great a deterrent it is will depend on such factors as the certainty of the punishment and the time that elapses between death sentences and executions; currently the deterrent effect is undermined by the uncertainty, infrequency, and delays involved in execution. (Indeed, a calculating criminal might look at the extreme rarity of the death penalty and thereby be *encouraged* in his murderous course.)

The existence of capital punishment is a disincentive, as threats of punishment always are. But the evidence is insufficient to prove that capital punishment deters murder more than do other punishments. Even if it did, however, capital punishment would be shown to be useful, but not morally justified. Deterring the crimes, not yet committed, of others does not morally justify execution of any convict (except to utilitarians, who think usefulness is a moral justification). If deserved, capital punishment should be imposed. If not, it should not be. *Deterrence, however useful, cannot morally justify any punishment.*

Some of the most popular objections to capital punishment do not actually deal with the punishment itself, but with its distribution. The issues that are raised are not unimportant, but they do not belong in a discussion of the legitimacy of capital punishment itself. Racial discrimination, for example, would disappear as an issue if the population were racially homogenous. Analogously, the argument that wealthy defendants can avail themselves of legal defenses not available to the poor depends on an unequal distribution of wealth; this argument is relevant to a discussion of social inequality, but is extraneous to an attempt to determine the rightness of the death penalty.

Although we have made great progress, we cannot ignore the remaining inequalities in the criminal-justice system. But there is no good reason to confuse such inequalities with an inherent inequity in the administration of justice. There is nothing in the nature of capital punishment that demands an unfair administration.

Issues of deterrence are peripheral to the moral argument at stake here, and the race and wealth issues are more peripheral still. The core of the matter is this: Murderers volunteer for the risk of capital punishment, and the punishment they volunteered to risk should be imposed if, in the view of the courts, they are guilty and deserve it. **NR**

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Who Cares About Cuba?

Ninety miles away, far from our minds

JAY NORDLINGER

It is a bald question, and one that pops up from time to time: Why are Americans so indifferent to the plight of Cubans? Why do Americans, particularly our elites, scorn the exile community in Florida? Why do our elites continually excuse, or defend, or outright champion the Communist regime in Cuba? Why do the media ignore the heroics of Cuban dissidents, which should be the stuff of page-one stories, and magazine covers, and Movies of the Week? Why?

This is a question that Cubans and Cuban-Americans ask all the time, in anguished and bewildered tones. Jeane Kirkpatrick, the former U.N. ambassador, says that all this is "both a puzzling and a profoundly painful phenomenon of our times." What is "especially puzzling," she continues, "is the extreme selectivity of concern over terrible, terrible suffering, the deprivation of all rights." Americans followed the saga of South Africa with intense interest, and activism. The abuses of the Pinochet regime in Chile are the subject of film, song, and much else. The victims of right-wing dictatorship can usually count on the world's attention. But those who dare to resist and challenge the regime in Cuba work in near-total darkness.

Let us take a couple of cases out of the darkness. Here are two that have crossed my desk in recent days.

The first involves a man named René Montes de Oca Martija. He is a dissident, a human-rights campaigner, and a Christian. Thirty-seven years old, he has been jailed or detained repeatedly. Montes de Oca was born into a family of oppositionists; his uncle, for example, was a well-known political prisoner. For this reason, Montes de Oca himself was singled out at school, denied what privileges there were and marked as an enemy. His mother was a Jehovah's Witness, which meant additional persecution. Montes de Oca himself is a Pentecostalist, and an official with the Human Rights Party (illegal, of course), which is affiliated with the Andrei Sakharov Foundation, watched over by the late physicist's widow, Yelena Bonner.

Montes de Oca was arrested and imprisoned in July of last year. He was charged with "threatening the security of the state." His actual offense was to have called for the release of political prisoners, free elections, a fair penal code, and the possibility of Christian education in the schools. On April 20, he escaped. There is a kind of Underground Railroad in Cuba, a network of people who help oppositionists. Montes de Oca could not very well avail himself of this system, however, as he was a fugitive, and the penalties for aiding a fugitive are severe. But he managed to contact Cuban-Americans in Florida who do what they can to help oppositionists, mainly by simply taking their statements and trying to disseminate them somehow. These helpers then turned to me. They knew that I had written about Cuba, they knew that NATIONAL REVIEW was anti-Communist ("pro-Cuban" would be another way to put that), and they thought we would be interested. Would I be willing to interview Montes de Oca, if it could be arranged? I spoke to him by phone on May 5.

The dissident related his story in an agitated but resolute voice. He expected to be arrested again soon; he was desperate for his story to be heard. He knew that, once he was recaptured, he would face not only heavy punishment for having escaped, but trumped-up charges of "common" crimes, such as thievery. The mother of his child had already lost her job because the authorities demanded that she testify that Montes de Oca had beaten her. She refused, and suffered the consequences.

■

The victims of right-wing dictatorship can usually count on the world's attention. But those who dare to resist and challenge the regime in Cuba work in near-total darkness.

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Primarily, Montes de Oca was worried about his son, twelve years old. The boy had been badly beaten a number of times at school, by older boys who are sons of "patriotic" military personnel. This occurred with the apparent blessing of the authorities. Police were dogging the son to and from school. Montes de Oca's highest hope was that the boy would be allowed to leave the country to receive medical care: He suffers from a hernia affecting his testicles, and also from a twisted spine. Both conditions require surgery. The boy is being denied treatment, however, because he is the son of an oppositionist.

Montes de Oca has endured persecution that can hardly be imagined. "Why do you persist?" I asked him. "Why do you take these risks? How can you be so brave?" He answered, "There are many brave people in Cuba, both men and women. We have always been faithful: a faithful community, a faithful people. We take our strength from the Bible. We believe in love, justice, and peace. We take God's truth to the darkest and loneliest places of human existence, like the pris-

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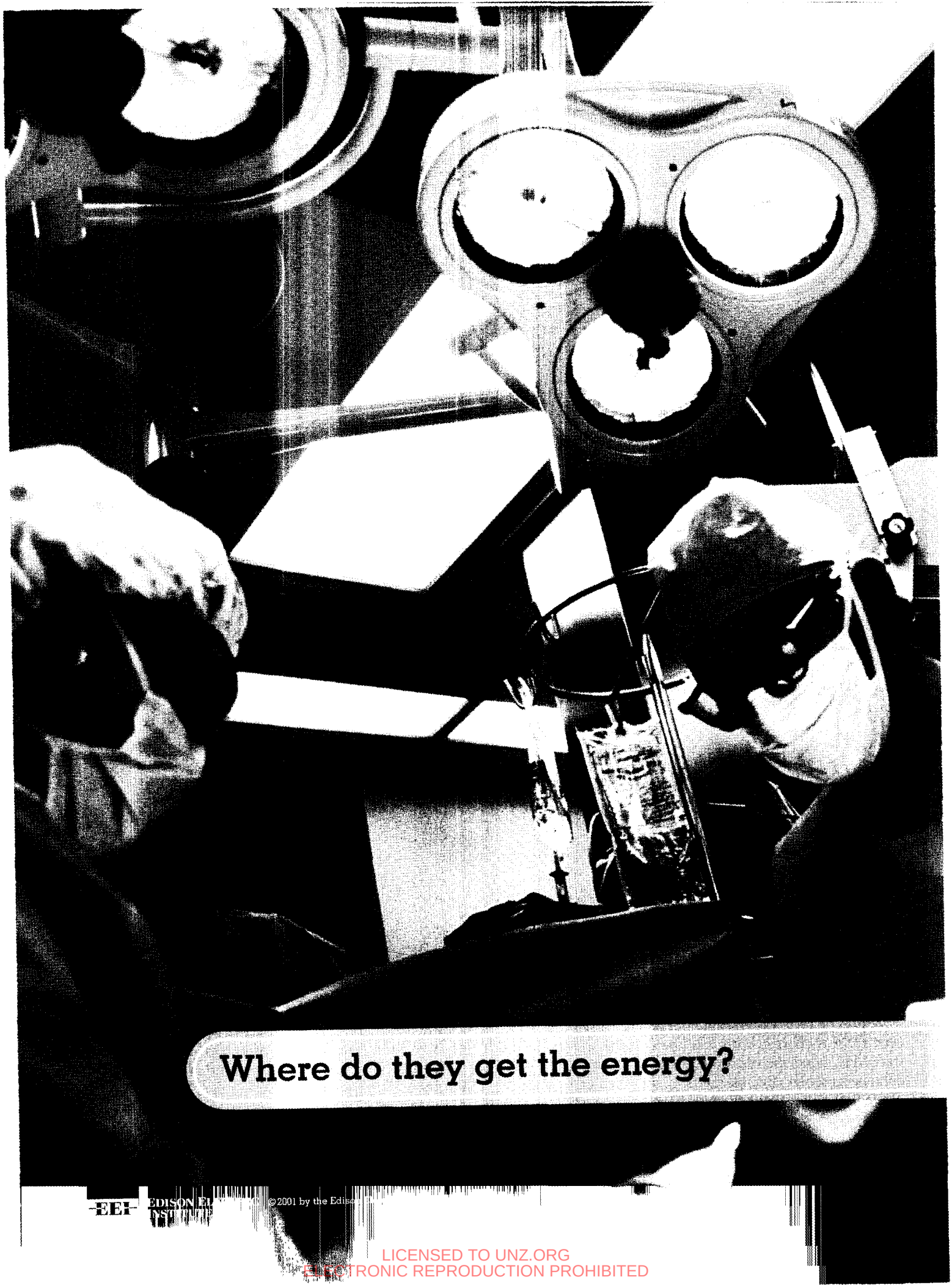

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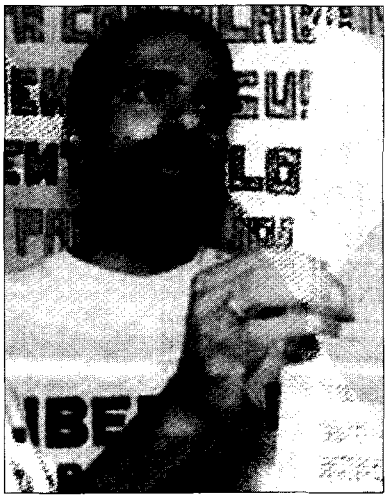
ons." And what did he want from Americans, I asked, beyond specific help for his son? "I would like them to remember their principles: their sense of unity, justice, and liberty, maintained over so many years." Last, he wished to say, "Human rights cannot exist without God."

Three days later, on May 8, he was indeed rearrested. In the afternoon, he spoke with supporters in the United States, wanting to provide as much information as possible, and then he went to the home of a fellow oppositionist. In the night, state security broke in and hauled both men off. No one has heard from Montes de Oca again; his family, at this writing, has been denied any information about him, and they fear the worst.

The second case I wish to discuss involves another dissident and political prisoner, José Orlándo González Bridón. He is an officer with the Cuban Democratic Workers' Confederation, a trade union (illegal). González Bridón stands accused of distributing "enemy propaganda" and "false information" for the purpose of "provoking public disorder." His chief crime seems to have been to place on an American website—that of the Cuba Free Press Project—a statement questioning the regime's role in the death of a fellow trade unionist, Joanna González Herrera. He also incensed the regime with a protest at his home on November 23, 2000. On that day, a large group of oppositionists gathered in the presence of a CNN camera and reporter. The protesters were greatly encouraged by this opportunity to be heard. They are willing to challenge the regime under any circumstances; but, naturally, they would like some reward for the risks they take.



A hero (unknown) of our times: Dr. Oscár Biscet

For reasons unknown, CNN declined to broadcast the protest, or to report on the matter at all. This dismayed and outraged the oppositionists. Several of them contend that CNN's reporter promised that the protest would be reported. A spokeswoman for the network says that it is CNN policy never to make such a promise.

Later, many of the Cubans who participated in the event were rounded up while attending a religious ceremony. They were beaten and jailed. González Bridón's wife has told supporters in the U.S. that she does not hold CNN responsible for the arrests; but she does believe that the network behaved unethically and misleadingly. Other oppositionists feel grossly betrayed by the network. They complain that CNN is consistently pro-regime. They note that the network's founder, Ted Turner, is a friend and admirer of Fidel Castro. CNN's spokeswoman counters that the network has reported on "both pro-Castro and anti-Castro demonstrations." Such evenhandedness is apparently the most Cuban dissidents can hope for; but they do not believe they get even that.

CNN did run a story from Cuba on November 23: It was about the reentry of Elián González, the "raft boy," into Cuban society, where (said the network) "he is a typical, happy-go-lucky schoolboy." CNN's Havana correspondent, Lucia Newman, said toward the end of the report, "What is unquestionable is that Elián's return to Cuba was a resounding political victory for Cuba's president, and a devastating blow to his arch-enemies, the anti-Castro exile community in the United States." Note the language there, because Cubans certainly do: the dictator as "president"; his opposition, "arch-enemies, the anti-Castro exile community in the United States." First, what of the anti-Castro community in Cuba? Second, the Florida Cubans are seldom described, in the mainstream press, as anti-Communist or pro-freedom or pro-democracy or pro-human rights. They are, at best, anti-Castro, and more often "right-wing" and worse. Robert Conquest, the great historian of Communist terror, notes that Orwell liked to observe that anti-Communists were always described as "rabid": rabid anti-Communists. Almost never was there a "rabid anti-Nazi," for example.

A DICTATORSHIP AND DOUBLE STANDARDS

So, there are a couple of names named: René Montes de Oca Martija and José Orlándo González Bridón. There are thousands of others, belonging to thousands of other political prisoners. Hear (merely) three more: Vladimiro Roca, Jorge Luís Garcia Perez, and Maritza Lugo Fernandez. These names mean nothing in our country, except to Cuban-Americans. Perhaps the most inspiring name of all is that of Dr. Oscár Elías Biscet González, a virtual saint of the resistance. Biscet is a practitioner of civil disobedience in the tradition of Gandhi and Martin Luther King, his avowed models. He has been imprisoned and tortured since 1998. We know, through his wife, that he has blessed and forgiven his torturers even as they have tortured him. Here is a man—Biscet—whose name should be on many lips. Cuban dissidents complain bitterly that if he were a prisoner of a right-wing regime he would be a worldwide cause. Yet he is anonymous; not even his dark skin seems able to help him. The stream of American celebrities who go to Havana to sup, smoke, and banter with "Fidel" are oblivious.

One man who has thought long and hard about all this is Armando Valladares. He is the most famed of the dissidents, the author of the memoir *Against All Hope*, one of the most powerful testaments of this age. Valladares persevered through years of imprisonment and torture, showing almost unfathomable courage, of every kind: physical, political, spiritual. Eventually he came to the United States, where he has devoted his life to truth-telling. Valladares has earned the designation "the Cuban Solzhenitsyn." One of the most bracing things President Reagan ever did, of many, was name Valladares U.S. delegate to the U.N. Human Rights Commission in Geneva.

Valladares divides those Americans who are neutral or friendly toward the Communist regime into two groups: those who lack information (a majority, he says, perhaps generously), and those—politicians, intellectuals, journalists—who should know better, to put it mildly. "I look at this from a psychological point of view," says Valladares. "Many Americans hate their own society, for whatever reason. Perhaps they have failed to

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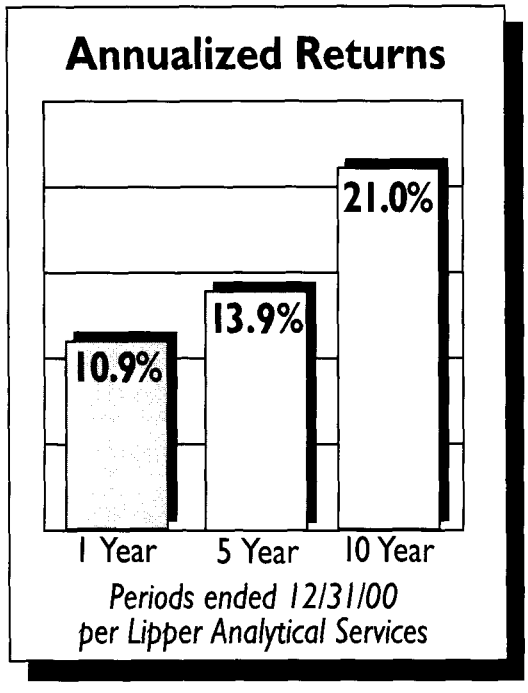

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attain their goals. So they sympathize with anyone who attacks American society. The cliché 'The enemy of my enemy is my friend' applies here. And remember: The most envied, the most hated country in the world is the United States of America. I felt this clearly during my years as U.S. representative in Geneva."

Robert Conquest points out that Western defenders of the Soviet Union were "always more anti-American than they were pro-Soviet"; so it is in the case of Cuba. Jeane Kirkpatrick finds it astonishing that "some of our elites are actually proud of their indifference to Cuba's victims, or China's, or Burma's. It is in bad taste, intellectually, to give much thought to these victims." And "frankly, there is something perverse about the hostility to anti-Communists." We saw in the Elián affair, she says, that Cubans in the United States are close to a pariah community.

Paul Hollander is another great historian of Communism and its fellow-travelers. He finds it especially noteworthy that "American intellectuals haven't been much interested in the incredible repression of their fellow intellectuals in Cuba. The Cubans have had it much worse than intellectuals in the Soviet Union, after the death of Stalin." The American academy proves all the time that it is nearly hopeless on the subject. One of the most shocking things I ever saw occurred at Harvard in the mid 1980s. Valladares arrived to give a talk to students about his experience; and the school paired him with a pro-Castro professor. Evidently, Harvard felt that Valladares's witness should not be given without rebuttal. To most anti-Communists, this is rather like "balancing" an anti-Nazi with a pro-Nazi. The further sad truth is that the pro-Castro professors, in their classrooms, are paired with no one, least of all with a giant of conscience.

■

Harvard paired Valladares with a pro-Castro professor, feeling the need for 'balance.' One might as well balance an anti-Nazi with a pro-Nazi.

■

And what of journalists? They seem weirdly unconcerned with the fates of their counterparts in Cuba. Journalists are commonly thought to be obsessed with their profession and the freedom to practice it. If that is true, they might look into the case of Bernardo Arévalo Padrón, once the director of an independent press agency, Linea Sur Press, and a political prisoner since 1997. His crime was to "insult" the dictator and his regime. Arévalo is being held at a forced-labor camp in Cienfuegos province, where he is undergoing what Castro's regime, like all such regimes, calls "political reeducation."

Vernon Walters—a second ex-ambassador to the U.N.—says that the indifference of the American press is "absolutely normal": "They would go to the death searching out Franco's or Pinochet's prisoners. But the attitude toward Castro's is, 'They probably deserve to be there anyway.' Anti-Communist prisoners are of no interest to anybody. A prisoner of a left-wing government is highly suspect, probably a fascist." Conquest points out that Western elites have always scorned resisters to, and refugees from, Communism: Accounts from Soviet Russia were "rumors in Riga"; refugees from Mao's China, when they staggered into Hong Kong, were bandits, warlords; "and the Cubans! They escaped, went to Florida, and started voting Republican, so they were clearly no good." The anti-anti-Communist mindset, says Conquest, remains fierce, above all with regard to Cuba.

Valladares, for his part, says that "the hardest part of our struggle is to fight against a double standard: one standard for right-wing regimes, another for left-wing ones. Torture and denial of rights are the same, no matter who perpetrates them."

POWELL'S GIVEAWAY

The dissident community suffered a special blow on April 26, when the American secretary of state, Colin Powell, gave testimony in the House. Badgered by Rep. Jose Serrano, a New York Democrat and one of Castro's most ardent champions, Powell said, "He's done some good things for his people." The "he" was Castro. And when Powell uttered those words, he gave away more than he must have known, for they are a standard propaganda phrase. Apologists have always said, "Well, Fidel might deny his people [creepy phrase, by the way: "his people"] political and civil rights, but he has done some good things." By "good things" they usually mean advances in education, health care, housing, and race relations. These claims are entirely bogus, demolished ad nauseam by objective analysts. But they are undying. After Powell's testimony, Castro praised and thanked the secretary for his concession, another blow to the dissidents.

Valladares has a ready answer to this business of "good things," given with patience and weariness: Say these things have been accomplished (which is laughable, but leave that aside). Could they not have been accomplished without torturing people? Without imprisoning them? Without denying them all rights? Is material well-being incompatible with human freedom? Besides which, few people go out of their way to stress the material achievements of other dictators: autobahns and so forth. The likes of Jose Serrano do not pause to acknowledge Chile's economic explosion. And then there is the matter of Castro's sheer longevity as dictator. Says Valladares, "I was talking to an American, a Democrat, the other day. I said to him, 'How would you like it if Richard Nixon got to be president for over forty years?' The man almost shrieked in horror."

American celebrities who trot to Cuba almost never see the country in which Cubans have to live; they see a Potemkin Cuba, set up for visitors and off-limits to Cubans. Outright leftists from America have always journeyed to Havana, to use and be used: Robert Redford and Ed Asner, Maxine Waters and Barbara Lee (two congresswomen from California). Other pilgrims, however, are less malicious than they are trendy and naïve: Leonardo DiCaprio, Woody Harrelson, an assortment of pop musicians. A few years ago, the fashion models Naomi Campbell and Kate Moss had an audience with Castro. Campbell hailed the dictator as "a source of inspiration to the world." Castro complimented the ladies on their "spirituality." Jack Nicholson, too, had a high time in Cuba. He drank choice

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rum, smoked choice cigars, and buddied for three hours with Castro, afterward pronouncing Cuba "a paradise."

Such behavior may seem merely ridiculous, but it is not without its effect on dissidents. Valladares confirms the obvious: that it demoralizes them terribly. "It demoralizes not only the resistance inside Cuba, but all of us who have struggled for many years while we wait for the solidarity of those who believe in democracy." He may wait for that solidarity a long time. The likes of Naomi Campbell and Jack Nicholson, sadly, have far more influence on Americans than Armando Valladares ever could.

AGAINST FORGETTING

Cubans and Cuban-Americans feel a persistent hurt over the general American attitude toward them. One exile in Boca Raton reports that he can no longer talk with his Anglo neighbors about his homeland. "If I explain to them the reality of Cuban life, all I get is, 'Oh, you're a right-winger,' or, 'You're biased against President Castro.'" Can you imagine being biased against the tyrant who deprives you of rights, throws you in jail, and makes life so intolerable as to force you into the open sea on a homemade raft? Many Cubans especially resent this honorific "President" before Castro, as if the dictator were the equivalent of a democratic leader. Worse is the affectionate, pop-star-ish "Fidel." We would never hear, for Pinochet, "Augusto." Gus!

The oppositionists and their supporters are extraordinarily, even disturbingly, grateful for any sincere attention they receive. They are accustomed to being snubbed or defamed. Another exile writes, "Prisoners cling to newspaper articles about human rights in Cuba as their only hope against being abandoned and forgotten. The sense of helplessness, that no one is listening, that no one cares, is what kills their souls. I've known many such people, including within my own family."

Back in the Reagan years, Jeane Kirkpatrick became a heroine in the Soviet Union for the simple act of naming names on the floor of the U.N.: naming the names of prisoners, citing their cases, inquiring after their fates. Later, in Moscow, she met Andrei Sakharov, who exclaimed, "Kirkpatski, Kirkpatski! I have so wanted to meet you and thank you in person. Your name is known in all the Gulag." And why was that? Because she had named those names, giving men and women in the cells a measure of hope. Kirkpatrick says now, "This much I have learned: It is very, very important to say the names, to speak them. It's important to go on taking account as one becomes aware of the prisoners and the torture they undergo. It's terribly important to talk about it, write about it, go on TV about it." A tyrannical regime depends on silence, darkness. "One of their goals is to make their opponents vanish. They want not only to imprison them, they want no one to have heard of them, no one to know who or where they are. So to just that extent, it's tremendously important that we pay attention."

Indignation and concern are not inexhaustible, of course; no one, including Americans, can watch the fall of every sparrow (although, somehow, it seemed possible in South Africa). But American attention is a powerful thing; so is an American consensus. "Fidel will eventually die," some people say, with a shrug. But certain other people have waited long enough. **NR**

Goodbye, Mr. Olin

When conservative funds dry up

JOHN J. MILLER

NOBODY likes to think too much about the death of an aging parent. Yet it's something most people must confront at some awful moment in their lives. Today, conservatives find themselves in this painful predicament as they watch the John M. Olin Foundation head for the grave. They may want to blame Henry Ford II.

That's because Ford quit the Ford Foundation in 1977, complaining that a creation of capitalism had become an enemy of it. "I'm just saying that the system that makes the Foundation possible is very probably worth preserving," he complained in a letter to the board. A man named John M. Olin took note. "This riveted his attention," recalls Michael Joyce, who was executive director of the Olin Foundation from 1979 to 1985. Olin wanted to use his fortune to promote the intellectual and political interests of conservatism—and he also wanted to ensure that his money never fell into the hands of people who had other designs.

Recollections differ as to when and how Olin made clear his desire for his foundation to expire one day; he apparently did not put it in writing. But it is generally agreed that he thought the foundation should not live much longer than his handpicked successors. He wanted people he knew personally to control the money, and when they were gone, the foundation would go, too. And last year, William Simon, president of the foundation since it assumed its explicitly conservative mission in 1977, died. "All our funding decisions will be made within three years," says Olin executive director James Piereson, "and all of our money will be gone within five years."

When that happens, it will leave a big black hole in the world of conservative philanthropy. Last year, Olin distributed more than $20 million in grants, and its demise is the most obvious sign of an ominous development for the Right: the disappearance of foundations that have made so much of the conservative movement possible. This is not an entirely new problem. In the 1980s, the Smith Richardson Foundation played the same dynamic role for conservatives as Olin, but its focus in recent years has moved sharply away from these causes. Over time, of course, the interests of foundations are bound to change. But the problem for conservatives may be especially acute.

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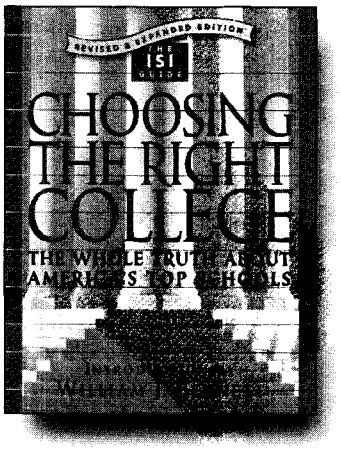

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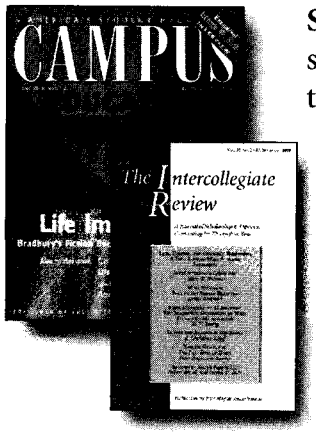

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vatism would not exist in its current form without them. "They made it possible for a figure like Milton Friedman to go from being considered a fascist to being recognized as a mainstream economist," notes Michael Horowitz of the Hudson Institute.

For its part, the Olin Foundation won't go quietly. Most observers believe it will end with a bang, giving major grants to several of its top projects. This is an odd choice in some ways, given Mr. Olin's determination to keep his money from existing in perpetuity. Who's to say the recipients of these parting gifts will remain as true to his principles as the people now heading his foundation?

Whatever the reasoning, Olin's exit is only a piece of the puzzle. The Milwaukee-based Lynde & Harry Bradley Foundation, which gave out more than $44 million last year, just announced the departure of its president and CEO, Michael Joyce. Another stalwart, Dick Larry, recently retired from the Sarah Scaife Foundation, which dispersed about $18 million in 2000. For anybody who believes personnel is policy, these are troubling developments.

There's no particular reason to worry about the Bradley Foundation, other than the fact that leadership transitions necessarily include uncertainties. The board picking Joyce's successor is made up of committed conservatives (including NR president Thomas L. Rhodes) who say they won't veer off course. The several foundations affiliated with the Scaife family, however, are another story. The family patriarch, Richard Mellon Scaife, is a private man who came under tremendous scrutiny during the 1990s for supporting various anti-Clinton projects. His second wife is said to be troubled by her husband's bad reputation in the liberal press, and she has tried to channel the Scaife fortune toward more traditional forms of philanthropy in the Pittsburgh area. Meanwhile, Scaife's two children aren't known to be conservatives, and their father won't live forever.

POTS OF GOLD?

Despite all this, there is reason for hope. The country is simply sloshing with money that will one day go toward philanthropy. Over the next two decades, by some estimates, the baby boomers will inherit $12 trillion. "This new money should be the object of our attention," says Neal Freeman of the Foundation Management Institute (Freeman is also an NR contributor). "Too many Beltway conservatives are scrambling for the loose change on the sidewalk while bags of gold bullion sit untouched on the front stoop." The Heritage Foundation, to take a single example, thrives in this environment. Its recent capital campaign had a fundraising goal of $85 million, but the effort pulled in $20 million beyond that. There are plenty of untapped fortunes out there, and conservatives are getting a piece of them. In theory, they should be able to draw on plenty more soon.

But it's always been a challenge. "The good news is that we can do a much better job than the Left with just one-hundredth of the money," says Manhattan Institute president Larry Mone. "The bad news is that we're still not grabbing our fair share." Entrepreneurs are notorious for obsessing over who will take over their companies when they leave, and at the same time caring hardly a whit for who runs their foundations. Many simply turn to the Council on Philanthropy for advice—most of it bad, because the council is a hothouse of nonprofit liberalism, staffed by people who have the same insulated worldview as university professors. Conservatives recently have tried to build competing organizations, such as the Philanthropy Roundtable, to provide an alternative. One of the movement's most innovative creations may be Donors Trust, an Alexandria, Va.-based nonprofit group that runs a set of donor-advised mutual funds. Individuals put money in Donors Trust, take a more favorable tax write-off than they would receive by setting up their own foundations, and then direct the giving. There's just one condition: The money is technically no longer theirs, and Donors Trust will disperse it only to causes that promote personal liberty. "Greenpeace won't get a dime from us," says executive director Whitney Ball. The group already controls about $14 million in assets, and it's growing rapidly.

The dominant trend in philanthropy of all kinds is toward hands-on and results-oriented approaches, and this offers undeniable benefits to the Right. To take just one example, millions of dollars are flowing into private scholarship programs for children of low-income families, and creating a constituency for school choice. But the results-oriented approach may also undercut one of the traditionally vital functions of conservative philanthropy: the production of knowledge. Ideas have consequences, but it's difficult to measure the impact of a book. Mere sales figures won't do: Myron Magnet's book on poverty policy, *The Dream and the Nightmare*, was a commercial flop—but Karl Rove happened to read it, and gave a copy to a client of his named Bush, who found it revelatory.

To complicate matters, some conservatives—current and potential philanthropists among them—hold the mistaken belief that they have triumphed in the war of ideas, and therefore no longer need to fund them. This is foolish and arrogant, as anybody who has recently set foot on a college campus must know.

There is occasional talk about some new source of conservative money materializing to fill this constant, pressing need, but the promises don't often pan out. Nobody knows who the John M. Olin of the next generation will be, or whether there will be one at all. Conservatives surely can agree that there ought to be one—or several. Locating candidates and recruiting them for this task ought to be one of the movement's most important projects. It was just half a century ago that Lionel Trilling famously said that conservatives had no ideas, only "irritable mental gestures." Fifty years of neglecting ideas could turn that silly statement into a prescient one.

There may be no better illustration of both the opportunity and the problem facing conservatives than Robert P. George's James Madison Program in American Ideals and Institutions at Princeton University. Just one year ago, George started raising money for the project, and by this spring he had amassed $6.5 million. The biggest single gift—$3 million—came from a family with no Princeton connection at all. George himself is one of the brightest young scholars on the right, and the startling success of his program—which promises to become a hub of conservative intellectual activity—is cause for celebration. But there's a catch: George's first grant came from the Olin Foundation. "That was the seed money that got us started," says George. "Without Olin, this would not have happened." **NR**

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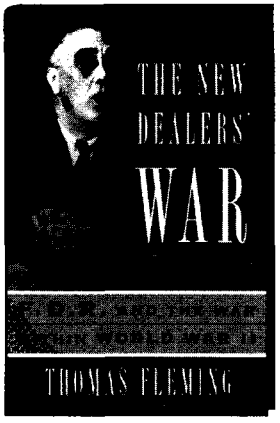

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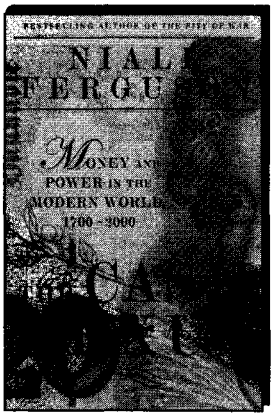

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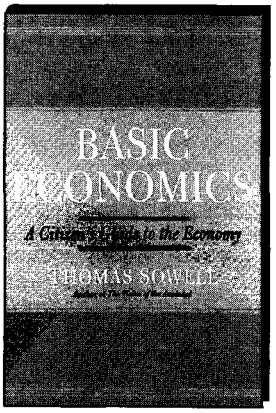

Basic Economics

Thomas Sowell

"I will march in any parade Mr. Sowell wants to lead about the importance of history, but if you are trying to win over the ignorant, you may have to stoop to keep up with the enthusiasms of the day. Of course, stooping is not a common position for Thomas Sowell, who among economists of the past 30 years stands very proud indeed." **—Todd G. Buchholz**

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"Basic Economics might do a great service in the hands of the lay voter for whom it is intended. Sowell fans will find it a good read and a good resource. His enemies will be no more inclined than usual to forgive him for deflating their most dearly held myths." ***—American Spectator***

BASIC BOOKS

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Toujours l'antiaméricanisme

The religion of the French elite

DAVID PRYCE-JONES

THE election of George W. Bush as president has released emotional spasms through Europe. With the exception of Spain and Austria, and now Italy, every European country is in the hands of socialists, champagne socialists to be sure, but all convinced that an American Republican is a beast outside polite society. In Britain, the Blair regime wrings its hands, and a columnist—in the *Guardian*, where else?—considers that America is now the evil empire. The Germans follow suit, in their own inimitably embarrassed and embarrassing way.

The French—*mais naturellement*—are far out in the lead. At the moment when the U.S. Supreme Court was sitting to decide the electoral questions put before it last November, the French ambassador, François Bujon de l'Estang, delivered a speech in New York, and highly articulate it was too, an exact summation of the French outlook today. He conceded that the Franco-American relationship was "extremely volatile and highly flammable," going on to list the resentments felt in Paris. He then praised the exceptional French contribution to civilization, naming all manner of artists currently at work in France (alas, not a household name among them). But what he emphasized was French universalism and its "monumental perspectives." The factors at work in French diplomacy, he concluded, are "a lofty idea of France and its role in history, its mission in promoting values, and also a certain vision of the world, the will to defend its interests on the five continents."

Vision of the world! Universalism! Five continents! Here is such stuff as dreams are made on. The French are conjuring up for themselves another monumental perspective in which to reshape the world.

The French ruling elite, its bureaucrats especially, are undoubtedly clever and inventive people, much given to the Cartesian joys of system-building. Democratic in name alone, France has always been a rigidly centralized and regulated state in the grip of those who control it. No matter whether the regime has been monarchist or republican, right or left, French statism has been the constant governing doctrine and political reality. But with troublesome regularity the vaunted French state has a tendency to collapse. The invariable tactic of the ruling elite is then to huddle together in the political equivalent of Custer's Last Stand, reinforcing statism rather than reforming it. Rebuilt as before, the system repeats its flaws.

The German invasion of 1940 and the subsequent occupation signified a collapse of France so total and humiliating that the ruling elite still cannot come to terms with it. They know that they owe their liberation to America, not to their own efforts. To General de Gaulle must go the credit for rebuilding the postwar republic, but he did so in the uninspiring image of the failed prewar republic. Whether the General really disliked and resented America is uncertain. More probably he chose to develop the ambivalence felt towards American power as social glue to fix the system as before. As the Cold War set in, the very elite that shortly before had collaborated with Nazism now prepared to collaborate with Communism. The graffito "U.S., Go Home," daubed on so many French walls, served the General's purposes well, as he sneered at NATO and whipped up animus against what he liked to call *les Anglo-saxons*, a bogus entity if ever there was one. By 1963 he was confiding to Alain Peyrefitte, one of his ministers and a faithful echo, "The truth is that the Americans will end up getting themselves hated by the whole world."

As a political movement, Gaullism is dead. But the psychological impulse to level accounts with both Germany and America survives like a virus in the bloodstream. The French elite believes that it is pulling off this double trick by means of the European Union currently taking shape. Here is an example of French statism writ large, a bureaucratic and undemocratic construct, seemingly the ideal instrument for refashioning the continent in the image of France. Germany, the French believe, is tamed (though still fractious). Now, in a mighty neo-Napoleonic fantasy, they aspire to co-opt into a wider coalition the statist countries of the world, China and Russia first and foremost, and then lesser but valuable allies like Iran, Iraq, and other Arab states.

In days gone by, the Soviet Union was the prime source of anti-Americanism. So effective was Soviet propaganda worldwide that the French contribution to this particular poisoning of the well was relatively harmless. Now the French are encouraging all-out ideological mobilization against the United States in the attempt to rally their prospective coalition. However shadowy its reality and meaning, globalization is the key concept upon which to mount the attack on American values and practices. Felix Rohatyn, the financier and Bill Clinton's ambassador in Paris, from time to time issues dyspeptic pronouncements on Franco-American relations, and in one such he explains that in Paris "globalization has an American face on it and is a danger to the European and French view of society."

"Unilateralism" is the term expressing resentment that America is defending its own interests. (Instead the French advocate multilateralism, meaning that they will make the decisions.) The alternative accusation of "isolationism" is a complaint that they are unable to influence America to do what they want. In this vocabulary of challenge, "unipolar" and *hyperpuissance*—"hyperpower"—are words further emphasizing that the French feel demoted, envious and angry. In direct competition with the United States, they see themselves creating a hyperpower of their own, an alternative globalization, a true Socialist International.

Campaigners that they are, President Chirac, Prime Minister Jospin, Foreign Minister Hubert Védrine, virtually the entire French political class, object to all Bush's policies, foreign and domestic, indulging in end-of-the-world hyster-

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ics about things great and small, from his projected missile defense to his failure to support the proposed world court, and the abandonment of the Kyoto protocol on global warming, down to the implementation of the death penalty for murder. According to Jospin, a fount of socialist dogma, the Bush administration does not think that "rules that make the international community work" need be taken into account.

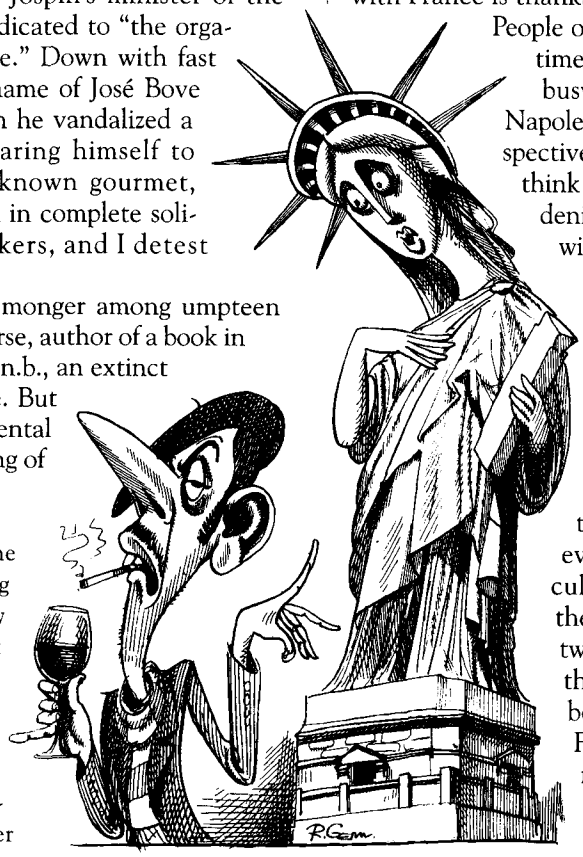
Up with the European Union, therefore, which, according to René Rémond, an eminent historian of modern France, is built on "the idea of continuing to have influence, of being heard in the world, of not being told what to do and not being dependent—especially vis-à-vis American hegemony." Up with the proposed European Rapid Response Force that will neutralize the American military presence and finally render it superfluous. Up with the United Nations whose committees can be packed and its resolutions bent (as we have seen recently with the Human Rights Commission). Up with the mobs whose anti-capitalist riots are a perfect ideological fit.

Correspondingly, down with NATO, described in *Le Nouvel Observateur* as America's "instrument of political and military control over Europe." Down with sanctions on Iran and Iraq, and down as hard as possible on Israel. Down with the oppressive and invasive English language, down with the Internet that uses that language. Down with Hollywood whose films have at least half the market share in France, and are self-evidently corrupting (though the historian Alain Besançon replies that a thousand Hollywood films have not done so much damage as a single French philosopher on American campuses). In the view of Jean-Pierre Chevènement, formerly Jospin's minister of the interior, the United States is dedicated to "the organized cretinization of our people." Down with fast food. A French farmer by the name of José Bove became a totem overnight when he vandalized a McDonalds, afterwards comparing himself to Gandhi. President Chirac, a known gourmet, joined that barricade too: "I am in complete solidarity with France's farm workers, and I detest McDonalds' food."

Louis Delmas is one opinion-monger among umpteen thousands, neither better nor worse, author of a book in praise of Yugoslav Communism (n.b., an extinct animal) with a preface by Sartre. But enthusiasm for the Serbs is incidental to his wholly characteristic cursing of the Bush presidency.

> In order to reach the top in the U.S., one has to be a boot-licking son, a devoted father, a blindly faithful husband, a zealous cult worshipper, a fervent supporter of the death penalty, a preacher who can dress electoral fraud to look like God's will, and a puppet molded by public-relations specialists, just able not to stammer (too much) on television. If one can muster all these qualities, one can reach the summit of a nation whose chief characteristics are obesity, violence, and bigotry . . . Practically all our leaders scorn in private the star-spangled cowboys. Not a dinner in town that doesn't ring with contempt for hamburgers, the stupidity of Bush and Gore, the arrogance and incompetence of the newly rich, the corset in the heads of narrow-minded Puritans or the vulgarity of Yankees abroad.

For Delmas, America is Globocop, subordinating the world to its interests. In contradiction, it is also "a rotting giant now governed by a half-wit." France is "an applied ornament in an American lounge" when instead it ought to enjoy "a strong position based on the independence of a nation whose history is worthy of respect." (Ah, respect: but who was disrespectful?) This is a severe outbreak of the Gaullist virus, with accompanying symptoms of inferiority complex. Delmas has colleagues who write the sort of books Ambassador de L'Estang did not mention, with titles such as *Who Is Killing France?*, *American Totalitarianism*, *The World Is not Merchandise*. A book called *L'Horreur économique* is one of many diabolizing American capitalism and the free market. In another book, *No Thanks, Uncle Sam*, Noël Mamère, a member of the French parliament, reaches the peroration, "It is appropriate to be downright anti-American." Michel Houellebecq's novel *Les Particules élémentaires* has been the main, indeed the only, recent sensation in literary circles. Outwardly it is another of the misanthropic raves in which French writers specialize, but as critics have observed, everything that he finds wrong with France is thanks to America.



By Roman Genn

People on the street, needless to say, don't have time for this. There is little room in their busy and successful lives either for neo-Napoleonic universalism and monumental perspectives, or for inferiority complexes. If they think about the political elite at all, it is to denigrate them and their ambitions, and to wish that the whole lot were in gaol (as quite a few of them are). Were it feasible, they would vote to close down the European Union tomorrow, and to back away from allies like Russia and China and Iraq.

An American almost anywhere in France is virtually certain to receive a friendly greeting, and to hear praise for the latest Spielberg movie, and perhaps even for Euro-Disneyland, that genuine cultural freak. The real mystery is how there has come to be so wide a gap between those at the top who formulate all this anti-Americanism, and those at the bottom who are indifferent to it. The French are at it again, as Noël Coward might have put it. The exaggeration, the posturing, are comic, except that fantasies and systems blow up to injure their promoters. **NR**

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Situation Normal

A word, a concept, and the trouble they cause

JOHN DERBYSHIRE

THE latest batch of data released from the 2000 census describes America's household arrangements. There are a tad more than 105 million households in the U.S., of which 72 million are families ("two or more people related by birth, marriage, or adoption and living together"). The statistic that jumped out at everyone was the number of female-headed families with children under 18: nearly 11 percent of all families, up from 9 percent in 1990 and 3 percent in 1950. Of families with children, one in nine is now headed by a single mom, up from one in 30 a half-century ago. (In 1950, it should be remembered, there were many more widows with small children; the death rate was higher, and thousands had been widowed in World War II.)

It will not be a surprise to the reader that our society has changed in a great many ways these past few decades, and that what was once unusual and unfortunate is now commonplace. The fine details, for those who don't feel like trawling through census data, are well presented in Francis Fukuyama's book *The Great Disruption*. My only aim here is to ask, and then try to answer, the following questions: Have these changes left us with any useful concept of what is normal? Does the word "normal" have any acceptable usage in discussions about our society and culture? With one in nine of our families headed by a single mom, is single motherhood now normal? What else is normal? With gay-themed movies, plays, TV sitcoms, and high-school student societies, is homosexuality now normal? Is it normal to be a Wiccan? A practicing sadomasochist? A libertarian? Is *everything* now normal? Is the word "normal" itself now de trop, except as a joke word, one of those mock-irregular verbs ("I am normal, you are conformist, he is a slave to convention")? If the concept of normality has passed from the world, is that to be regretted or not?

Certainly both the word "normal" and the thing, normality, were for a long time seriously out of favor with the political Left. In the mind of a boomer liberal, appeals to normality conjured up the conformism and Babbittry of traditional small-town American culture, which, as is well known, suffocated creativity, perpetuated all sorts of obnoxious isms, repressed all authentic human bonds, and supported the Vietnam War. Gopher Prairie was normal; Willy Loman was normal; Ozzie and Harriet were normal. Good riddance to normality! Bring on the gorgeous mosaic of human variety! Groups outside the pale of respectable society have always poked fun at normal people. In Mart Crowley's 1968 play about homosexuals, *The Boys in the Band*, the partygoers at one point break into an exaggerated simulation of normal-guy conversation: "Ya tink da Giants a gonna win da pennant dis year?" "F***in' A, Mac!" Then they all fall about laughing. Those normals are so *weird*! As the great cultural revolution picked up speed 30 years ago, the delights of scoffing at normality—or at least the subversive thrill of watching others do so—became available to all.

Liberal hostility to the notion that there might be any such thing as a normal lifestyle was reinforced by a remark by Newt Gingrich—remember Newt Gingrich?—a month before the 1994 midterm elections that gave the Republicans control of Congress. The Clinton Democrats, he declared, should be portrayed by the GOP as "the enemy of normal Americans." Of Ira Magaziner, principal architect of the grandiose Clinton health plan, Newt further observed that "normal Americans do not want government to take over every aspect of their health care." This raised a flurry of scorn from the nation's liberal pundits. "If you are not white, churchgoing and fundamentalist, English-speaking and legally documented, anti-regulation, pro-military, heterosexual, in favor of school prayer and contribute to Republican PACs, your normality is suspect," sneered Colman McCarthy in the *Washington Post*. "How 'normal' is Newt?" wondered *Newsweek*. (Their answer: "As normal as many Americans—at least the ones who see their marriages fail, change their views and don't always practice their professed beliefs.")

Yet though a lot of people in these nonjudgmental times would hesitate to use the word, all of us, even liberals, carry around some mental image of social normality. Asked to rank Ward Cleaver, Bill Clinton, and Pee Wee Herman from most to least normal, most people would come up with 1, 2, 3. And does *anyone*—Rosie O'Donnell, Anthony Lewis—think it is normal to have five wives and 29 children, like the fellow recently convicted of polygamy in Utah? Liberals still eschew the word "normal," but normality itself has made a comeback of sorts. Much of the liberal project in recent years has been characterized by a striving for accreditation as normal of all behavior that is not coercive or inspired by "hate" (for the current definition of which, see below). Witches are no longer malodorous, straggle-haired old crones, living in huts in the woods and concocting potions from bats' blood; they are your neighbor, your bank teller, your kid's teacher. Homosexuals wish it to be known that they are not prancing, shrieking queens and crop-haired viragos on motorbikes, but good bourgeois folk with mortgages, golf-club memberships, and responsible jobs. Wife-swappers, body-piercers, and coprophiliacs all clamor for the mantle of normality. *This thing I do is just a harmless hobby. In all the important ways, I'm just like you.*

WHO YOU CALLIN' ABNORMAL?

Because everyone wishes to be seen as normal, imputations of abnormality are bitterly resented. A colleague recently asserted, in the pages of this magazine, that: "Mothers who choose to work full-time jobs and routinely leave their young children with others for much of the day are not normal: They are a historical aberration; they represent a minority preference among women; and they run exactly counter to the standard of motherhood that should be encouraged by society. . . . Maybe a little stigma is what they deserve" (Richard Lowry, "Nasty, Brutish, and Short," May 28). This brought down on his head the wrath of Maggie Gallagher, a conservative newspaper columnist, who thought this use of "normal" much too judg-

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mental. "When I hear the word 'stigma,' I want to reach for my revolver," snapped Gallagher, who is far from being a reflexive liberal. Yet what is more normal than maternal affection? Having chosen to give birth to a child, what is more normal than the desire to nurse and nurture it full-time until it is of school age?

One sees here the princess-and-the-pea sensitivities we now display in speaking of normality. Would it really be such a bad thing if some degree of social disapproval were to descend on the mother who leaves her toddler with twenty others, in the hands of strangers, while she pursues her career ambitions? But "stigma" is, according to Gallagher, a synonym for "ostracization": "being unwilling to associate with a human being *because they are so bad*."

We are rapidly losing a sense of proportion, when the merest criticism of this or that favored group is taken to reveal a lurking wish to ostracize! to segregate! to hunt down with dogs! The most common word in this context is now "hate": Deliver the most trivial slight to, or express the most glancing disapproval of, any favored group—blacks, immigrants, homosexuals, working moms—and we are entitled to deduce that your heart is seething with hatred. Wonder aloud whether the limitless immigration of uneducated, unskilled people is really a good idea, and you must be a person who "hates" foreigners. Venture to suggest that it might not be wise to encourage high-school students to experiment with homosexuality, and you are "hate-filled," a "gay-basher" who keeps a two-by-four close at hand in case a homosexual should wander by. Mention the nation's appalling and disgraceful rates of black crime and illegitimacy, and you at once fall under suspicion of being a cross-burning nightrider. I do not say that Gallagher subscribes to this point of view—she has always seemed to me to be one of our more level-headed commentators—but the contagion is in the air all around us, and plainly she is not altogether immune.

Perhaps it is time to restate some obvious truths, to wit: No society can remain stable without the ballast of huge numbers of citizens living their lives in much the same way; and not just any old way will do. The traditional American desire to assert our individuality is a very fine thing, but it does not follow that every kind of eccentricity, of abnormality, is equally to be treasured. The little spat about working moms shows that we are, by historical standards, living in a looking-glass world, in which behavior that was considered outré for thousands of years, in all places and cultures, demands to be treated as normal, while the most elementary, most fundamental human attitudes are looked at askance. Anthropologist Donald E. Brown, combing through archives of ethnography, has tried to list those beliefs and activities that are common to all human societies. Among these traits are: "families built around a mother and children, usually the biological mother, and one or more men." Here is normality at the most basic level, recognized as such by Lapp reindeer herders, Roman senators, Turkish peasants, Chinese warlords, fishermen on Lake Chad, stallholders in the bazaars of Persia, aborigines in the Australian bush . . . in short, by all human beings who have ever lived, except our enlightened selves.

Time, too, to acknowledge that some fixed concept of normality is desirable not just socially, but psychologically. Abnormality—at least abnormality of the elevated sort—is very fine food for fantasy; but by definition, most of us must rest our hopes for a fulfilled and happy life in the well-worn ruts of human experience. The elevated-abnormal person is probably essential to the progress of civilization, but his prospects for contentment are not high. The distress and persecution suffered by the abnormal, the *étranger*, has been a staple of literature since the Romantic Age, and in our own time is seen at its most highly colored in the imaginative excesses of science fiction. In Damon Knight's short story "The Country of the Kind," to take one impressive example, the world has become a utopia of normality, built around universal benevolence and harmony. To prevent it all from sinking into a suffocating hell of boredom and conformity, the authorities have licensed one man to go around breaking into people's houses and trashing them, just to introduce some uncertainty into life. To make sure this lone eccentric does not lapse into normality, the authorities, when operating on his brain, have also given him an intolerable smell so that no one wants to get close to him. He is, of course, wretchedly unhappy.

'TO VARY FROM THE KINDLY RACE OF MEN'

The ancient equivalent of science fiction was mythology, in which the abnormal attribute most desired was immortality. Tennyson retold one of these myths in his wonderful poem "Tithonus," which is spoken in the first person by Tithonus himself, a beautiful youth who caught the eye of Eos, the Greeks' goddess of the dawn. Eos abducted the youth, along with Ganymede, and took them off to her palace in the east, from which she rides out every morning to herald the sun. When Zeus robbed her of Ganymede, Eos begged him to grant Tithonus immortality, and Zeus agreed. Unfortunately Eos forgot to request perpetual youth for her lover, so Tithonus became older, grayer, and more shrunken, and his voice more high-pitched, until Eos tired of nursing him and locked him in her bedroom, where he eventually turned into a cicada. Tennyson's poem is the lament of Tithonus, partly for the lost affections of Eos, but much more for his lost normality. The opening lines are a veritable hymn to normality, to the ordinary cycles of the world:

> Man comes and tills the field and lies beneath,
> And after many a summer dies the swan.
> Me only cruel immortality
> Consumes . . .

Tithonus longs to be able to die, as other human beings do."Let me go," he begs the goddess, "take back thy gift."

> Why should a man desire in any way
> To vary from the kindly race of men . . . ?

I doubt there has ever been so eccentric an eccentric, so transgressive a transgressor, that he has not at some time or other felt the yearning that Tennyson (a strikingly normal man, other than that he was a poetic genius) put into the mouth of Tithonus: the yearning to be normal. We are a deeply social species, and the gravitational pull of our fellows, and of their customary ways and observance—of a human nature rooted firmly in Nature herself—is very strong. Let us give human nature its due, and raise high the banner of normality. **NR**

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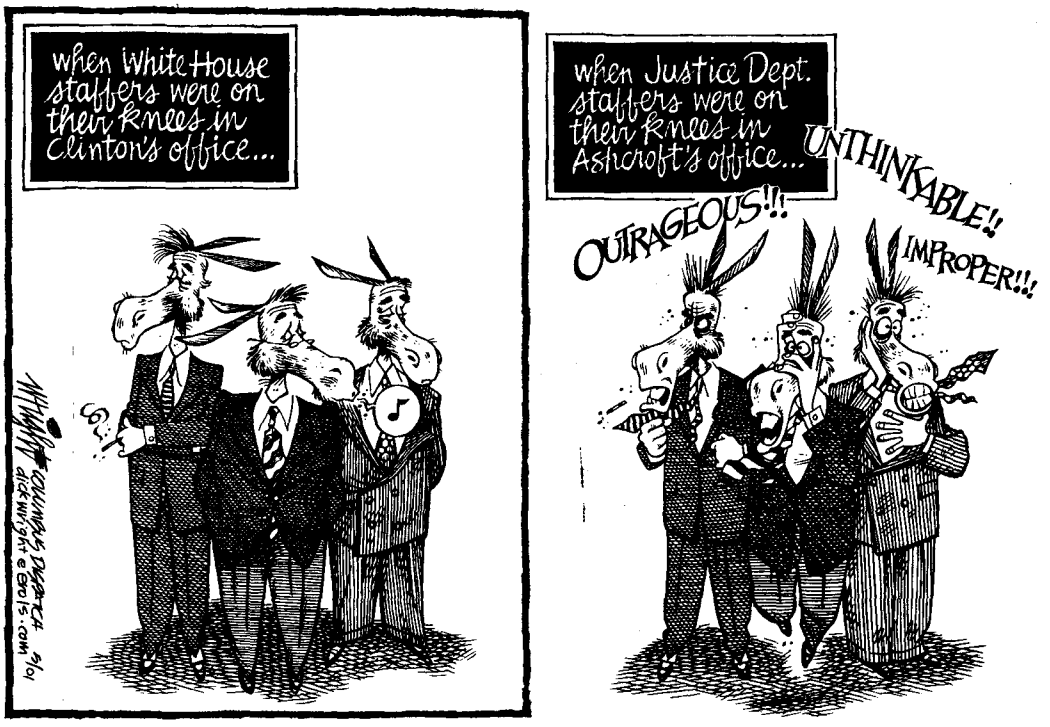
HELP!!!!


when White House staffers were on their knees in Clinton's office...
when Justice Dept. staffers were on their knees in Ashcroft's office...
UNTHINKABLE!!
OUTRAGEOUS!!!
IMPROPER!!!

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"I was going to move to Canada to get free health care, but it was easier to just knock over a liquor store."

Florida's Reformed

Way down upon the Swanee River
Where a dimpled chad
Once drove an addled Al Gore almost
Eyeball-rolling mad,
Jeb Bush (once called a Judas and/or
Dracula by Dems),
Smells like a rose so sweet, the party's
Junked all requiems.

—W. H. von Dreele

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THE LONG VIEW

By Rob Long

A memo from a SoCal big to his personal assistant

JANICE: Could you please take care of the following items before I get back from Aspen? Thanks!

TO DO

1. Send in check for the "Sierra Club Salutes Governor Gray Davis" fundraiser at the Beverly Hills Hotel.

2. Have pool guy come back and check the temperature settings on the pool. It's still too cold—it needs to be about 72. We need to see steam coming off the top in the mornings—please remind the pool guy that it's a LOT colder in Bel Air than it is in Covina or Van Nuys or wherever he's from. Also: The Jacuzzi needs to be set about 20 degrees hotter than the pool. Otherwise, it's hard to get the whole cool pool/hot whirlpool thing going, which makes it almost impossible to relax.

3. Take Range Rover (the old one) to the dealer and have them check out this weird ping it makes when the gas tank is less than half full (about 45 gallons, I think)—which gets especially loud when it idles in traffic.

4. The gardener needs to use the leaf blower on the ENTIRE property. This includes Guest House #1 AND Guest House #2. Please remind him of this, because I think he's ignoring it and thinks we won't notice. My wife just got lasix surgery and sees a lot better now, so she's noticing a lot of things that she used to miss.

5. Please sign my name to the "Open Letter to President George W. Bush" that we got from someone at Warner Brothers, protesting the proposed opening of the Alaska Wildlife Reserve to oil drilling. Please call my publicist and remind her that I have been a longtime activist for environmental issues, go heli-fishing in Alaska every year, wear a lot of cotton, recycle, etc. etc.

6. Take Range Rover (my wife's) to dealer. Have them check the air conditioning. My wife says it's not cold enough and takes too long to get cold. Maybe something wrong with coolant? Maybe needs freon? Have them check this out and make it get really cold, really fast.

7. Call Henry Waxman (my congressman) and set up a meeting for next month when I'm in D.C. for the FCC deregulation hearings. Tell his person that I want to talk about these rolling blackouts that are hitting our area—specifically, my office—and tell him that I want to know how I, as a citizen, can get the current administration to take action. Remind him of the fundraising dinner I threw for him last year, etc. etc.

8. Take the BMW (the convertible, not the 750iL) to the dealer and get them to add an AC or heating vent in the seat well. My son likes to drive around with the top down, but also likes to keep his feet warm. They need to do this BEFORE he comes back from rehab.

9. Check Sub-Zero refrigerators in the pantry. One of them keeps humming and the other makes ice cubes that smell funny. The two in the kitchen are okay, but my wife wants to change the panels from stainless to French Blue. Ask if this is possible.

10. Accept invitation to "Rally Against Nuclear Power" being held at Sony next week. Buy two tables (of 12 each) and ask to have our name listed as "Platinum Sponsors" on the program. Make sure we order a fish entrée.

11. Sign op-ed piece circulating around protesting the Bush-Cheney energy proposal. Please describe us as "Concerned Activists." Have publicist mention the view from our place in Malibu, and how it would be spoiled by oil derricks in the distance. Have publicist mention our electric car.

12. Buy electric car. But make sure it has good AC.

13. Have limo (stretch, please) pick me up at the airport on Tuesday night. Please make sure it's running and ready WHEN WE LAND. My wife doesn't like to smell the startup fumes.

14. Take recycling out on Tuesday a.m.

Thanks!

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Dante Refreshed

JEFFREY HART

The Inferno, by Dante Alighieri, translated by Robert Hollander and Jean Hollander (Doubleday, 614 pp., $35)

Corbis

Detail of Spirits, Paolo and Francesca, in the 2nd Circle of Hell *by Gustave Doré, 1861*

WHEN two lesser angels fail to recognize Milton's Satan, he replies scornfully, "Not to know me argues yourselves unknown." Culturally, Dante could say the same thing.

There is a kind of succession among the major translations of Dante. John D. Sinclair's prose version of *The Divine Comedy* (1939–1948) has been the one most in general use. It is perfectly serviceable, but a bit musty with Victorianisms such as "thee" and "thou," and Sinclair's explanatory notes lack the detail you need once you become serious about the poem. Charles Singleton's translation (1970), also in prose, built on and improved upon Sinclair's in some details. He also contributed a prodigious quantity of notes, many useful but some bordering on the fanciful. The Singleton notes are so extensive that each book of the *Comedy* requires a second bulky volume to accommodate them.

Now Robert Hollander, an immensely popular professor at Princeton who is perhaps our preeminent Dante scholar, and Jean Hollander, a poet and Robert's wife, have given us what will undoubtedly be the translation used for the foreseeable future. We now have their *Inferno*. The *Purgatorio* and *Paradiso* are due in 2002. The notes following each canto, besides being up-to-date in scholarly terms, and full of the insight produced by decades of teaching, reflection, and scholarship, are of genuinely useful length and pertinence. The decisions they made about translation seem to me completely successful.

The Hollanders chose verse rather than prose, using three-line stanzas that resemble the Italian verse on the left-hand page. But they wisely did not try to write terza rima in English, a language that has too few rhymes for that complicated and replicating rhyme scheme. Dante used it to impart a strong forward pull to his verse, and perhaps to suggest a comprehensive if intricate divine order. But the narrative itself has plenty of forward momentum, and the Hollanders have produced a beautifully lucid stanza, highly readable, in which the lines are nudged into poetry by economy of phrasing and a latent iambic rhythm.

To illustrate, let us compare two versions of the famous passage in which Francesca da Rimini describes for the pilgrim Dante and his guide Virgil the circumstance in which she and her lover Paolo committed adultery (Canto V). First the Sinclair prose translation:

> And she answered me: "There is no greater pain than to recall the happy time in misery, and this thy teacher knows; but if thou hast so great desire to know our love's first root, I shall tell as one may that weeps in telling. We read one day for pastime of Lancelot, how love constrained him. We were alone and had no misgiving. Many times that reading drew our eyes together and changed the colour in our faces, but one point alone it was that mastered us; when we read that the longed-for smile was kissed by so great a lover, he who never shall be parted from me, all trembling, kissed my mouth. A Galeotto [pander] was the book and he that wrote it; that day we read in it no farther."

Now the Hollanders' verse translation:

> And she to me: "There is no greater sorrow
> than to recall our time of joy
> in wretchedness—and this your teacher knows.
>
> "But if you feel such longing
> to know the first root of our love,
> I shall tell as one who weeps in telling.
>
> "One day, to pass the time in pleasure,
> we read of Lancelot, how love enthralled him.

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We were alone, without the least misgiving.

"More than once that reading made our eyes meet
And drained the color from our faces.
Still, it was a single instant overcame us:

"When we read how the longed-for smile
was kissed by so renowned a lover, this man,
who never shall be parted from me,

"all trembling, kissed me on my mouth.
A Galeotto was the book and he that wrote it.
That day we read in it no further."

The Hollanders' diction is cleaner and their verse more rapid than Sinclair's prose. Their "sorrow" is more specific than Sinclair's "pain." "Time of joy" is preferable to "happy time." "One day to pass the time" is more natural than "one day for pastime." "How love enthralled him" is colloquial and natural, but "how love constrained him" is neither. "Drained the color" is more precise and dramatic than "changed the colour." "Overcame us" is preferable to "mastered us." "So renowned a lover" recalls for us that he is in a book, while "so great a lover" is banal. "This man" is more dramatic than the weak pronoun "he."

Whether in Italian or English, Dante's diction is startlingly clear, hard-edged, concrete. His imagined world is emphatically *there*, and his hold on it never loosens. This language can concentrate Dante's images to the point where they become charged with significances that go far beyond that recognizable Dantean world.

Let us take his opening stanza in the Hollander translation.

> Midway in the journey of our life
> I came to myself in a dark wood,
> for the straight way was lost.

The Hollander translation differs from Sinclair's in saying "Midway" instead of "In the middle of," a gain in rapidity as the epic plunges *in medias res*. Both translators say "I came to myself" instead of the more literal "I found myself." As Hollander explains: "*mi ritrovai* (I came to myself) has the sense of a sudden shocked discovery. 'It is the pained amazement of one who has only now, for the first time, become aware that he is in peril' (Padoan, comm. to *Inf.* I.2)." Hollander goes on to discuss other nuances and parallels, his treatment fuller than Sinclair's.

In teaching Dante to college students, I have found Dante's Hell to be something of an obstacle, until they understand it. Except for the pre-Christian great writers and thinkers in Canto IV, who are repeatedly called "honorable"—Homer, Horace, Ovid, and Lucan—and dwell in a pleasant meadow, their looks neither sad nor joyful, all the characters in Hell actually have chosen to be there. That is, in life, they directed their souls toward it; they could have changed their spiritual direction through repentance, but did not. That is why their souls are eager to take up their positions in Hell.

■

Dante's diction is startlingly clear, hard-edged, concrete. His imagined world is emphatically *there*.

■

Let us return briefly to Francesca da Rimini, one of the most famous and appealing figures in the *Comedy*. She exists in a very different psychological world from the great classical authors in Canto IV. She has turned away definitively from the highest good and remains defiant even in Hell.

Francesca and Paolo succumbed to carnal passion and committed adultery. Their case was a cause célèbre when Dante wrote his poem. Both were married and had children, and were murdered by Francesca's outraged husband. We notice how gently Dante deals with carnal sinners; they come right after the virtuous pagans in Limbo, and the atmosphere here has a kind of charm. Francesca's situation reflects the choice she made. She and Paolo are blown about and buffeted by winds, "borne on," "driven." Before the winds of passion, the lovers are almost helpless, as they were when alive.

Dante develops a beautiful simile involving birds to represent this spiritual abandonment. We first see a cloud of lovers from a distance:

> As, in cold weather, the wings of starlings
> bear them up in wide, dense flocks,
> so does that blast propel the wicked spirits.
>
> Here and there, down and up, it drives them.
> Never are they comforted by hope
> of rest or even lesser punishment.

Compare the Sinclair version:

> As in the cold season their wings bear the starlings along in a broad, dense flock, so does that blast the wicked spirits. Hither, thither, downward, upward, it drives them; no hope ever comforts them, not to say of rest, but of less pain.

One immediately appreciates the Hollanders' efforts: "the wings of starlings bear them up" improves upon "their wings bear the starlings." "Wide" seems more air-borne than "broad." And "that blast propel" is better than the more violent "so does that blast." "Here and there, down and up" is more Dantean than "Hither, thither, downward, upward." The last two lines of the Hollander version are immeasurably superior to the contortions of Sinclair's.

The lines introducing Paolo and Francesca are poignant, elegiac. The pilgrim Dante addresses his guide Virgil:

> I began, "Poet, gladly would I speak
> with these two that move together
> and seem to be so light upon the wind."
>
> . . . . . .
>
> As doves, summoned by desire, their wings
> outstretched and motionless, move on the air,
> borne by their will to the sweet nest,
>
> so did these leave the troop where Dido is,
> coming to us through the malignant air,
> such force had my affectionate call.

The phrase "malignant air" reminds us, amid this sweetness, that we are in Hell.

When Francesca finally speaks, Dante provides her with poetry of a special tenderness. "On that shore where the river Po / with all its tributaries slows / to

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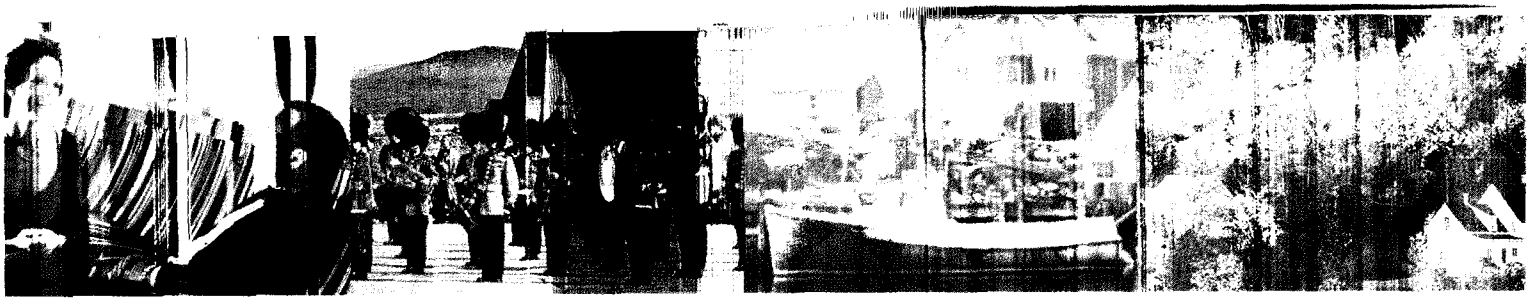

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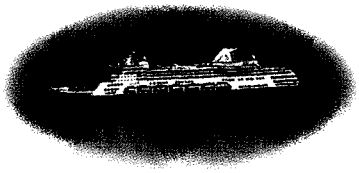

The National Review 2001

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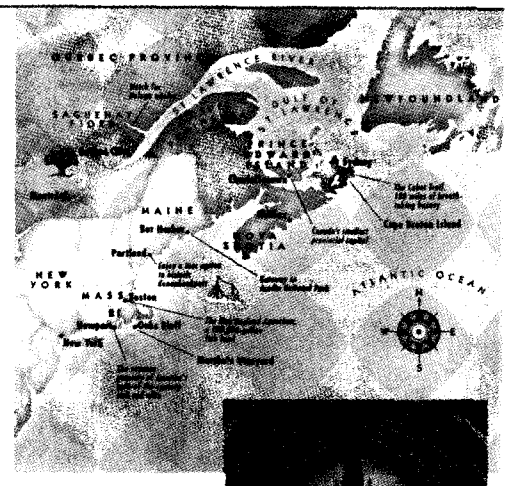
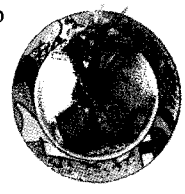
DAY 1 You arrive in New York City and board Holland America Line's stunning new MS *Amsterdam*. After getting settled in your spacious cabin, you explore the ship and take in its luxury, comfort, and elegance (so many antiques!). In the late afternoon, we depart the Big Apple, gracefully sailing by Lady Liberty. At night, feast on a gourmet meal (this may be one of the nights when you dine intimately with *NR* editors or guest speakers!), after which there is so much to do: maybe an exciting Broadway-style show, or a quiet cocktail at the piano bar. Whatever you do, you'll find sweet dreams awaiting you in your pleasant quarters.

DAY 2 After a delicious breakfast, you tour Newport: Witness the lavish excesses of this fabled city's Gilded Age by visiting the summer "cottages" of the Vanderbilts, Astors, and Morgans. Come afternoon, it's time for the first of six *National Review* seminars: Each of these exciting, two-hour panel sessions will feature stimulating discussions and debates (plus plenty of "Q&A") from a bevy of conservative all-stars. And what a group we will have on hand to discuss politics and policy: Joining **William F. Buckley Jr.**, will be jurist supreme **Robert Bork**, columnist **Robert Novak**, conservative cultural expert **Linda Chavez**, former Reagan National Security Adviser **Richard Allen**, the incomparable General **Vernon Walters**, the man who knows everybody who is anybody (via stints as CIA boss, ambassador to the U.N. and West Germany, Ike aide, and much more), UPI Editor-in-Chief (and *NR* Editor-at-Large) **John O'Sullivan**, plus the *NR* editorial "gang" of **Kate O'Beirne**, **Rich Lowry**, **Ramesh Ponnuru**, and **Jay Nordlinger**. Afterwards, relax: Catch an invigorating Indian Summer breeze on the Sky Deck, or use your $100 (per person!) cabin credit (our gift to you if you book by June 15) to indulge yourself with a soothing massage, or to book an additional tour. Then at 6:30 join the *NR* crowd for the first of our exclusive, fun-filled social events: tonight, a cocktail reception in the Crow's Nest Lounge (enjoy the top-shelf liquor, hot hors d'oeuvres, great music, and fantastic company!). Next: another delicious dinner (maybe at the intimate Odyssey Restaurant), followed by a wonderful evening with new-found friends.





SO VERY MUCH TO DO: HOW CAN YOU NOT COME?!

DAY/DATE	PORT	ARRIVE	DEPART	SPECIAL EVENTS
Thursday/Sept. 27	New York		4:45PM	
Friday/Sept. 28	Newport, R.I.	7:00AM	3:00PM	afternoon seminar evening cocktail reception
Saturday/Sept. 29	Boston, Mass.	7:30AM	6:00PM	**FREE** tour of historic Boston late-night poolside smoker
Sunday/Sept. 30	Bar Harbor, Me.	7:00AM	5:00PM	
Monday/Oct. 1	Halifax, N.S.	8:00AM	5:30PM	afternoon seminar
Tuesday/Oct. 2	Sydney, N.S.	7:00AM	6:30PM	
Wednesday/Oct. 3	Charlottetown, P.E.I.	7:00AM	3:00PM	afternoon seminar evening cocktail reception
Thursday/Oct. 4	Saguenay Fjord	Scenic Cruising		morning/afternoon seminars late-night poolside smoker
Friday/Oct. 5	Quebec	8:00AM		
Saturday/Oct. 6	Quebec	5:00PM		morning seminar evening cocktail reception
Sunday/Oct. 7	Montreal	8:00AM		

DAY 3 Breakfast in bed? Why not? Let the *Amsterdam*'s staff, renowned for its superior service, pamper you. A great day is in store: If you've signed up by June 15, you're *NR*'s guest for an extensive tour of historic Boston. Trinity Church, Beacon Hill, the Public Gardens, "Old Ironsides," the State House, Faneuil Hall, King's Chapel, the Old North Church, Harvard Yard: They're all stops on this special excursion, which is our gift to you. Tonight, after another great dinner, stop by *NR*'s poolside "smoker," featuring classic **H. Upmann** cigars and cognac!

DAY 4 Yes, you *are* having that much fun. Congratulate yourself for coming. You love the ship, you're making new friends. That was a pleasant breakfast with an *NR* editor, and fascinating dinner conversation with a guest speaker. And such sights! *NR*'s "Fall

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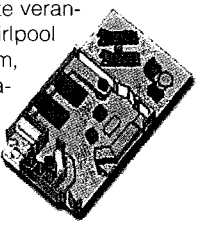

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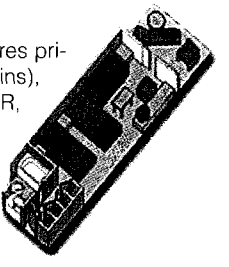

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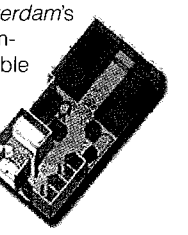
LARGE OUTSIDE STATEROOM The *Amsterdam*'s large "Outside Staterooms" (197 sq. ft.) are comfortable and feature a queen-size bed (convertible to 2 twin beds), a large picture window, plus bath/shower combination.



Category D
DOUBLE OCCUPANCY RATE: $ 4,599 P/P
SINGLE OCCUPANCY RATE: $ 7,399

LARGE INSIDE STATEROOM The *Amsterdam*'s very accommodating "Inside Staterooms," (182 sq. ft.) offer 2 twin beds that are convertible to one queen-size bed, plus a bath with shower. This is a very affordable category designed to provide you with maximum comfort.

Category K
DOUBLE OCCUPANCY RATE: $ 3,999 P/P
SINGLE OCCUPANCY RATE: $ 6,399

Foliage" cruise really *is* the opportunity of a lifetime. Today the *Amsterdam* is in Bar Harbor. Once the summer rival of Newport, this fabled town is rich in the legacy of the 19th-century millionaires. Explore Acadia National Park. Or take the city tour, where you'll clip-clop along tranquil trails in a horse-drawn carriage.

DAY 5 O Canada! We have arrived . . . in Halifax, the capital and cultural center of Nova Scotia and the "Maritimes." With granite boulders pounded by crashing surf, and lighthouses standing sentinel on rocky ledges, the ocean scenery is unrivaled. The city tour includes Halifax Citadel National Park, where the ramparts of a famous British fort and panoramic views await. Topping off this great day is another scintillating *National Review* seminar.

DAY 6 Sydney, Nova Scotia, is today's memorable stop. Cape Breton Island is so green and Gaelic. Explore the scenic 184-mile-long Cabot Trail, or tour the Fortress of Louisbourg, meticulously restored to its 1744 mint condition.

DAY 7 Charming Charlottetown, Prince Edward Island, known for its red, sandy beaches, is a provincial capital with a distinctly English feel, where red double-decker buses motor along streets lined with gingerbread-trimmed Victorian houses. Visit Cavendish and the farmhouse immortalized in *Anne of Green Gables*. Why not try sea kayaking, or biking on the Confederation Trail, or a coastline nature walk? There's so much to do, *and* there's an *NR* seminar this afternoon, followed by a delightful cocktail reception.

DAY 8 Today we cruise Saguenay Fjord. Carved by a massive glacier at the confluence of the St. Lawrence and Saguenay Rivers, it will awe you with its 1,000-foot cliffs, tree-lined peaks, hidden coves, and frolicking Beluga whales. Catch these between morning and afternoon *NR* seminars. And tonight, there's another relaxing poolside "smoker" featuring **H. Upmann** cigars and cognac.

DAYS 9 AND 10 *Mon Dieu!* We'll spend *two* days in Quebec, the noble walled city with a French accent. Stroll Old Quebec's maze of cobbled streets, with quaint sidewalk cafés, boutiques, and antique shops. Tour Montmorency Falls, higher than Niagara. Promenade down the tree-lined Grand-Alle. Visit the renowned Basilica of Ste Anne de Beaupré, the Place Royale, the "Plains of Abraham," and the fabled Château Frontenac. Our final full day will feature another *NR* seminar, plus a farewell cocktail reception, where we'll toast a wonderful trip and new friendships.

AND FINALLY The *Amsterdam* reaches the destinantion port of Montreal on October 7. You'll disembark with memories that will last a lifetime. But, if you desire, the melody can "linger on": Consider an overnight stay to explore this cosmopolitan center of French Canada, or take a three-night "post cruise" package designed especially by Holland America. *Au revoir, nos amis!*

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National Review 2001 Canada/New England Cruise Application

Mail to: National Review Cruise, The Cruise Authority, 1307 Powers Ferry Rd., Marietta, GA 30067-5409 or Fax to 770-916-1425

Please fill out application completely and mail with deposit check or fax with credit-card information. One application per cabin. If you want more than one cabin, make copies of this application. For questions call The Cruise Authority at 800-707-1634.

1 Personal

Name #1 (full legal name) + Nickname _____ Shirt size (M/L/XL) _____

Name #2 (full legal name) + Nickname _____ Shirt size (M/L/XL) _____

Names #3 & #4 (if taking others in your cabin) _____

Street Mailing Address _____

City _____ State _____ ZIP _____

( ) _____

Daytime Phone

Special Information (medical conditions, celebrating anniversary, etc.) _____

2 Payment

A deposit of $1,500 per cabin is due with this application. Cabins and categories are available on a first come, first served basis. *Suites are limited!*

☐ My deposit of $1,500 per cabin is included.
(Make checks payable to "National Review Cruise")

☐ Charge to: AmEx ☐ Visa ☐ MasterCard ☐ Discover

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date (Month) ☐☐ (Year) ☐☐

Each time you use the National Review *credit card to make a purchase, the card's issuer, MBNA America Bank, N.A., will make a contribution to* National Review.

_____
Authorized Signature of Cardholder/Guest

Information and price quote on Cancellation Fee Waiver/Medical Insurance will accompany your statement. Cancellation Penalty Schedule follows (cancellations must be received in writing by the date indicated):

PRIOR *to May 25, 2001*	*$75 per person*	
May 26, 2001 to June 27, 2001	*$750 per person*	
AFTER *June 27, 2001*	*100% of cruise*	*319A*

3 Cruise

(All rates are per person, double occupancy. Single rates available upon request. Air/Sea rates include round-trip air and transfers from select gateways, all port charges and taxes, all gratuities, meals, entertainment, and *National Review* activities. Cruise-only rates include all of above except airfare and transfers. Failure to appear for embarkation for any reason constitutes a cancellation subject to full penalties. Personal items not included.)

PLEASE CHECK ALL APPLICABLE BOXES!

I. CABIN CATEGORY *(see list and prices on previous page)*

First cabin category choice:_____ Second cabin category choice:_____

Bedding: Beds made up as ☐ Twin ☐ King/Queen

BOOKING SINGLE? ☐ Please try to match me with a roommate. (My age: ____)

II. AIR/TRANSFER PACKAGES

☐ We will provide our own roundtrip air and transfers to New York and Montreal.

☐ Include air with our package from _____ (see list below).

☐ We need to purchase transfers from the airport to the ship at $32 per person.

III. GENERAL INFORMATION

Citizenship: Is everyone a U.S. citizen? ☐ Yes ☐ No

If No, indicate citizenship: _____

IV. PRE- AND POST-CRUISE TOUR PACKAGES

☐ Please send additional information on pre-cruise packages in New York and post-cruise packages in Montreal.

4 Important!

Everyone cruising will be required to bring either a valid passport OR a certified birth certificate (with raised seal!), plus photo ID. Failure to do so may result in being denied boarding of the *Amsterdam*. Children do not require photo ID.

CONDITIONS FOR PASSAGE: H2O, Ltd. d/b/a The Cruise Authority or National Review Inc., its owners, agents, or employees accept no responsibility whatsoever for illness, accident, death, dismemberment, weather, strikes,, acts of God, or the accessibility, appearance, actions, or decisions of those individuals promoted for the cruise. Nor can the above-mentioned entities be held responsible for the actions of Holland America Line, participating air carriers, or shoreside personnel or subcontractors. Return of this application indicates full understanding and acceptance of these conditions for passage.

AIR TRAVEL: Let us make your air travel arrangements with **Holland America's "Fly Cruise" Program**, which offers a convenient air program that includes round-trip, economy-class air transportation, motor-coach ground transportation, and all baggage transfers, from the following cities:

AK	Anchorage	959	FL	Fort Lauderdale	459	IA	Cedar Rapids	539	MO	Springfield	609	OH	Akron	509	TX	El Paso	639	WV	Huntington	459
AL	Birmingham	539		Jacksonville	459		Des Moines	539		St. Louis	509		Cincinnati	509		Houston (IAH)	539			
	Huntsville	539		Miami	459		Waterloo	589	MT	Billings	609		Cleveland	509		Lubbock	639		CANADA ($USD)	
	Mobile	539		Orlando	459	KS	Wichita	589	ND	Bismark	639		Columbus	509		McAllen	639			
	Montgomery	539		Pensacola	459	KY	Lexington	509		Fargo	639		Dayton	509		Midland/Odessa	639		Calgary	709
AR	Little Rock	609		Sarasota	459		Louisville	509		Grand Forks	639		*Toledo*	*509*		*San Antonio*	*609*		Edmonton	709
AZ	Phoenix	589		Tallahassee	459	LA	Baton Rouge	559	NE	Lincoln	609	OR	Portland	609	TN	Chattanooga	539		Montreal	339
	Tucson	609		Tampa	459		New Orleans	539		Omaha	559	PA	Allentown*	349		Knoxville	509		Ottawa	349
CA	Fresno	659	GA	Augusta	459		Shreveport	609	NV	Las Vegas	639		Erie	459		Memphis	559		Quebec	409
	Los Angeles	589		Atlanta	459	ME	Portland	459		Reno	659		Harrisburg*	349		Nashville	509		Regina	709
	Oakland	639		Savannah	459	MD	Baltimore*	329	NJ	Newark	219		Philadelphia*	329		Tri-Cities	509		Saskatoon	709
	Ontario	639	HI	Honolulu	1009	MA	Boston*	319	NM	Albuquerque	609		Pittsburgh	459	UT	Salt Lake City	609		St. Johns	589
	Orange County	659	ID	Boise	609	MI	Detroit	509	NY	Buffalo	459	RI	Providence*	349	VA	Lynchburg	459		Toronto	389
	Sacramento	569	IL	Champaign	609		Flint	509		New York	219	SC	Charleston	459		Norfolk	459		Vancouver	709
	San Diego	639		Chicago	509		Grand Rapids	509		Rochester	459		Columbia	459		Richmond	459		Victoria	739
	San Francisco	589		Moline	609		Lansing	509		Syracuse	459		Greenville	459	WA	Seattle	609		Winnipeg	709
	San Jose	659		Peoria	559		Saginaw	509	NC	Charlotte	459	SD	Rapid City	609		Spokane	609			
CO	Col. Springs	639		Springfield	609	MN	Mnpls/St. Paul	539		Greensboro	459	TX	Amarillo	659	WI	Green Bay	509			
	Denver	589	IN	Evansville	509		Rochester	559		Raleigh/Durham	459		Austin	639		Madison	559			
CT	Hartford*	329		Ft. Wayne	509	MS	Jackson	559	OK	Oklahoma City	609		Corpus Christi	639		Milwaukee	509			
DC	Washington*	329		Indianapolis	509	MO	Kansas City	509		Tulsa	609		Dallas/Ft. Worth	509	WV	Charleston	459			

* = Motorcoach may be used from these cities to NYC at the discretion of Holland America Line.

IMPORTANT NOTES: 1. These air add-ons apply to the cruise or cruise + pre- or post-cruise package. All transfers for air/sea passengers are included. 2. Should you elect to provide your own air transportation, note that transfers from the airport to the Amsterdam (Cruise Terminal of New York) are not included; the distance from airport to cruise ship varies by airport. Schedule your arrival in New York leaving plenty of time for flight delays and traffic in New York! You should arrive in New York no later than 12:30pm on September 27th. Your return flight from Montreal should not be arranged before 12:00noon on October 7th. 3. Should you wish to deviate your air from the "standard" schedule, Holland America Line charges $50pp for this service. All requests must be sent in writing to The Cruise Authority. Air deviation fees are non-refundable. 4. Any special seat assignments or other requests must be made directly with the participating air carrier. You will receive your air schedule approximately 30 days prior to departure. 5. Transfers are available for purchase from the New York area airports for $32 per person, and must be arranged for in advance via The Cruise Authority.

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peaceful flow, there I was born." Francesca, clearly, longs for "peaceful flow." The rhyming Po-slows-flow vowels in the Hollander translation are a dividend that does not appear in the original. Francesca imagines peace, desires it, but cannot have it, because her soul never changed its bearing. She herself knows this. "Love, which absolves no one beloved from loving, / seized me so strongly with his charm that, / as you see, it has not left me yet." Since she never repents, she will always be where she is. Dante the pilgrim faints with sympathy for Francesca. But Dante the author places her precisely where she belongs.

In the *Purgatorio* we meet another adulteress, La Pia, who, we infer, was murdered by her husband but repented before she died. Unlike Francesca, who remained in confusion, La Pia redirected her soul and is in Purgatory, though low on the mountain. She will see the astonishing vision of God Dante manages in Canto XXXIII of the *Paradiso*. I quote from the Sinclair translation all that the *Comedy* tells us about La Pia. The passage is haunting and poignant:

> "Pray, when thou hast returned to the world and art rested from the long way," the third spirit followed on the second, "do thou remember me who am La Pia. Siena gave me birth, Maremma death, He knows of it who, first plighting troth, wedded me with his gem."

That is good, though replete with the Victorian diction the Hollanders purge throughout the *Comedy*. Here is their version in their forthcoming *Purgatorio*:

> "Pray, once you have gone back into the world,
> and there are rested from the long road," the third spirit followed on the second,
>
> "Please remember me, who am La Pia.
> Siena made me, in Maremma I was undone.
> He knows how, the one who, to marry me,
> Gave me the ring that held his stone."

Quod erat demonstrandum. This is the translation for our time and probably beyond. Judging by their *Inferno*, the Hollanders' translation of the complete *Comedy* will be a magnificent achievement. **NR**

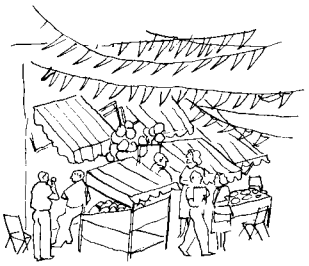
Mixology

TAMAR JACOBY

The New Americans: How the Melting Pot Can Work Again, by Michael Barone (Regnery, 338 pp., $27.95)

JUST a hundred years ago, at the height of the last great wave of immigration, Irish, Italians, and Jews were each regarded as a race apart: so Michael Barone reminds us in this short, smart introduction to the tide of new immigrants who have arrived on our shores in recent decades. All were considered physically distinctive in ways that could never be ignored or erased, and each was thought to be burdened by a sharply inferior, "unassimilable" culture. "By the definitions [of] 1900," Barone muses mischievously, "we are already a majority-minority nation." Thanks to the Ellis Island influx, the northern European Protestants who initially settled the country have long been a distinct minority.

Of course, no one thinks of contemporary America that way. The "racial" categories that once seemed so immutable—and the strange newcomers who once seemed to pose such a threat—have ceased to stand out as they once did. And so too, before long, may the categories that seem so important and immutable today.



"Americans one hundred years from now may not think of blacks, Latinos, and Asians as members of separate races," Barone writes. What makes these immigrants (or, in the case of blacks, newcomers to mainstream society) distinct will not, and need not, be obliterated, just as what makes American Irish, Italians, and Jews distinct has not been obliterated. But the rest of the nation may—nay, probably will—eventually come to think of today's migrants as racially and ethnically "us" rather than "them."

For Barone, today's pessimism about immigration is as foolishly unfounded as yesterday's. The great, slow, mysterious absorptive alchemy that worked in the past can and will work again. It wouldn't hurt if we could recover a little of the confidence and moral leadership that helped us to set standards for earlier migrants. But even if we don't, Barone remains relentlessly—and on the whole persuasively—upbeat about the massive demographic change sweeping the United States, convinced that the new immigration, like earlier ones, will ultimately be a boon for all Americans.

■

Barone remains relentlessly upbeat about the massive demographic change sweeping the United States.

■

The New Americans is based on the intriguing conceit that each of today's new migrant groups bears a strong resemblance to an earlier one, and may follow a similar path into the mainstream. Both the Italians who arrived at the turn of the 20th century and the Latinos of today come from excessively centralized, politically dysfunctional societies where individual initiative was discouraged, social mobility was sharply limited, and ordinary people saw no reason to trust government or look to politics for change. As a result, in America, both groups have tended to rely on their families and their own hard work to sustain modest lives.

In a somewhat different pattern, Irish Catholics and blacks were once members of a permanent underclass in a hierarchical "status society" based on rigid caste distinctions—cultures in which, for someone from the underclass, there was scant connection between individual effort and reward,

Tamar Jacoby, a senior fellow at the Manhattan Institute, is editing a volume of essays, *Reinventing the Melting Pot: How Assimilation Can Work for the New Immigrants.*

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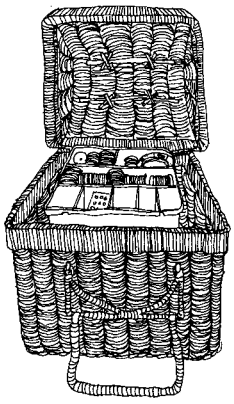
and it made little sense to play by the rules of the larger polity. As for Jews and Asians, particularly the overseas Chinese, both are traditionally oppressed minority groups who have learned to rely on education and business acumen to survive and excel wherever they settle.

Barone supports these thought-provoking comparisons with chapter-length portraits of each group: informative, statistic-packed sketches of the newcomers, their cultural backgrounds, and how they have fared in America. As Barone himself points out, the parallels are more telling in some cases than others: The Latino-Italian similarity is by the far the strongest, while that between Asians and Jews is fairly one-dimensional. And the more compelling the parallel, the better—the more original and argument-driven—the portrait.

Barone readily acknowledges that he has drawn heavily on the work of a new generation of writers on race and ethnicity—among them Abigail and Stephan Thernstrom, John McWhorter, Fred Siegel, Gregory Rodriguez, and myself. His great strength—and where he makes his most significant contribution—is in his retelling of the political history of each group: Irish ward politics, the rapid rise of black elected officials, the persistent regional diversity of the Latino vote. This, together with his brisk, authoritative distillation of the new thinking on race, makes his book an indispensable primer: the perfect introduction to American ethnicity for any reader tired of the boosterish conventional wisdom fostered by the civil-rights establishment and its allies in university ethnic-studies departments.



The book makes no apology—nor need it—for its assumptions about inherited culture and the way this can determine a people's "habits of mind." Each of the six group portraits, unstinting in what may sound to some like stereotypes, makes a persuasive case that history and tradition have given the migrants in question a distinct cultural character. Irish immigrants and blacks, Barone does not shrink from saying, have been more given to crime than many other groups: They think the rules of the larger and, in their eyes, fundamentally unfair mainstream society don't apply to them. Similarly, because of the conditions in the socially stratified societies they come from, Italian immigrants and Latino newcomers have traditionally put little store in education, and often undermined themselves by shunning individual achievement.

■

Barone pulls no punches in condemning the failure of contemporary Americans to champion our values.

■

Though understandable and perhaps adaptive in the old country, these cultural characteristics have often proved dysfunctional in the American context. But in all cases, both positive and negative, inherited predilections are far from immutable. Quite the contrary, Barone writes: "In time, the environment of the United States fosters different, more functional habits of mind—a process that can be called assimilation."

This is a somewhat novel and highly suggestive view of assimilation: a far more transformative process than many on the left are comfortable with or many on the right believe possible. (I can't wait to hear Barone square off with Harvard professor Samuel Huntington, who argues pessimistically that the dysfunctional traits of the new immigrants will prove ineradicable.) But *The New Americans* makes an ardent, convincing case about how such change has occurred in the past—and how it can be made to work again in the future.

Barone is not the first to warn Americans about the need to be more assertive in acculturating newcomers. John J. Miller and Peter Salins, among others, have argued for enhanced "Americanization" efforts that would teach civic values and remind immigrants of their responsibilities. But Barone takes the argument several steps further by pointing out just what we did—and what worked—in the past and how similar tactics might be adopted in similar cases today.

Thus in an earlier era when the Irish knack for politics turned nepotistic and predatory, the mainstream did not hesitate to voice strong disapproval. Today, in contrast, black political patronage is seen as progressive, even when the often corrupt set-asides it spawns do serious damage in majority-black cities. So too, determined public-school teachers once marched even the most recalcitrant Italians through at least a basic course of study. Today, many public schools let education-averse Latinos off the hook with low expectations, social promotion, and ineffectual "bilingual" instruction. Most disastrous of all, in Barone's view, is the way contemporary culture encourages many blacks' inherited assumption that the larger society is fundamentally unfair and that they, as an aggrieved group, therefore need not play by its rules.

Barone pulls no punches in condemning the failure of contemporary Americans to champion our values and insist on immigrant absorption. "The fundamental obstacle to the interweaving of blacks, Latinos, and Asians into the fabric of American life is not so much the immigrants themselves," he writes; "it is the American elite." And yet Barone is confident that Latinos, like Italians before them, will make their way into the political and economic mainstream—more slowly than one might wish, perhaps, but eventually arriving. For blacks, too, Barone sees much reason for hope in recent trends: the halving of welfare dependence, the sharp reductions in crime of the 1990s, and so on.

Concerned as he is about the mainstream's loss of confidence, Barone never gives in to the temptation to bolster his case with undue alarmism. The result is a realistically hopeful book, at once appropriately admonishing and yet deeply heartening about the future. Assimilation is "already happening, and rapidly," Barone writes, and "it can happen even more rapidly" if all Americans step up to the challenge of fostering it. **NR**

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Ideas Without Consequences

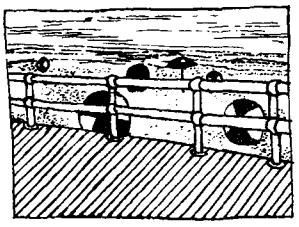
STEVE SAILER

Guess Who's Coming to Dinner Now? Multicultural Conservatism in America, by Angela D. Dillard (New York University, 245 pp., $26.95)

ANGELA DILLARD, a young black political historian of leftist views, has written a well-intentioned book about "multicultural conservative" intellectuals, whom she defines as blacks (such as Thomas Sowell, Shelby Steele, and Clarence Thomas), Hispanics (e.g., Linda Chavez), gays (e.g., Andrew Sullivan), and women (e.g., Midge Decter and Gertrude Himmelfarb). Theoretically, lesbian conservatives would also qualify, but Dillard can find only two. Although she quotes a number of Asian conservatives, such as education reformer Arthur Hu, she can't make up her mind whether Asians are multicultural enough to count.

Obviously, there's not much conceptual coherence to her grouping. The euphemism "multicultural" is popular because it obfuscates the fact that most identity-politics categories are fundamentally biological. Blacks, for example, are a racial group defined by their possessing some degree of African ancestry. They are not a culture, per se. The notion that blacks are permanently stuck with a culture clearly separate from white America's (either because of white racism or genetic difference) is precisely what many black conservatives oppose. They envision an America that is multiracial but essentially monocultural.

Similarly, women belong to a sex, not a culture. If female conservatives were actually defined by a shared culture, then Decter and Himmelfarb could have passed it on to their sons John Podhoretz and William Kristol; but what they passed on was conservatism, not "female conservatism." And whatever it is that causes male homosexuality also seems to incline gay men away from antielitist multiculturalism and toward conserving the high culture of Dead White European Males. Just imagine how moribund ballet, sculpture, painting, opera, and the Broadway musical would be today without gay men. Nevertheless, the steady growth in the number of conservative pundits who are not straight white guys is an important topic.



The fact that Dillard treats her conservative subjects with a certain amount of respect makes her rather unique among leftists. Dillard deserves praise for overcoming her original prejudice that black conservatives must be "traitors, sellouts, and self-loathing lackeys." Within the claustrophobic limits imposed by her liberal perspective, she is surprisingly fair. For instance, she points out that although the first major black woman novelist, Zora Neale Hurston, is jealously worshiped by leftist feminists, she was in fact a staunch conservative. She also admits that the conservative establishment's warm reception of black intellectuals reflects a change in attitudes on race that her fellow leftists would prefer to ignore.

Sadly, however, Dillard is ill-equipped to offer much meaningful or substantive analysis of the arguments of minority conservatives. She is interested only in analyzing these thinkers' rhetorical positioning, especially the relationship between their autobiographies and the stands they took. Dillard lives in the postmodern dreamland that hovers disconnected from reality like Gulliver's Laputa, the floating island of intellectuals. Her disdain for facts is palpable. For example, she repeatedly labels as "stereotypes" all references to blacks' suffering from high rates of illegitimacy and murder. It never seems to occur to her that they describe actual live babies and dead bodies. She also accuses "multicultural conservatives" of trying "to assimilate on the backs of the black poor." In reality, black conservatives since Booker T. Washington have traditionally focused more on uplifting the black poor, while black liberals have worked harder to help the black elite that W. E. B. DuBois dubbed the "Talented Tenth." The NAACP, for instance, cares more about restoring quotas at UC-Berkeley than doing anything that would actually help inner-city schools.

The value of nonwhite pundits to the conservative movement is reflected in an old joke that the humorless Dillard fails to include:

"Q. What do you call a black man at a Heritage Foundation conference?"

"A. Keynote speaker."

Okay, it's not too hilarious, but it does point out three facts about nonwhite conservative intellectuals. First, the best are highly impressive figures. Second, the very existence of nonwhite conservative spokesmen is hugely reassuring to white conservatives terrified of being called "racist." Third, as George W. Bush's dismal performance among minority voters last November demonstrated, the problem is not that there are too few minority conservative thinkers but that there are too few such voters. Conservatives should therefore take heed of Dillard's forecast that all this minority intellectual support won't translate into many minority votes.

Dillard's political predictions are much more interesting than her policy analysis. Writing before the 2000 election, she argued that conservatism has "little likelihood of a deep and lasting success" among nonwhite voters. The election results did nothing to disprove that thesis. Despite his outreach efforts, George W. Bush still ended up earning just 35 percent of the Hispanic vote and 9 percent of the black vote. (In Bush's home state of Texas, he carried more than 70 percent of the white vote, but a mere 5 percent of black voters.) He did a bit better among Asians, but even there he was trounced 54–41. Blacks and Asians actually gave a larger share of their votes to the hapless Bob Dole in 1996. Even for those who hold a more optimistic view of conservatism's prospects among "multicultural" voters, numbers like that should give pause. **NR**

Mr. Sailer is an adjunct fellow of the Hudson Institute.

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■ COMEDY ■

Rodney Rules

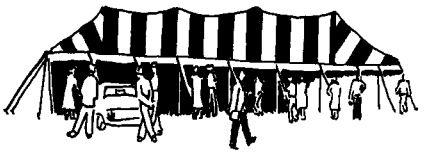
JAY NORDLINGER

In early May, Avery Fisher Hall, home of the New York Philharmonic, played host to another American cultural institution: Rodney Dangerfield. Said Rodney, midway through his act, as he sized up his surroundings, "I can take a classy place like this and turn it into a [not very pleasant place]."

Yes, he can. But he can also turn it into an exceptionally pleasant place, because Dangerfield is a gifted and endearing man. He is also the last of a line, pretty much; the last of a generation of comedians on whom several generations of Americans grew up. Traditional stand-up comedy is getting rarer. Our comedy today tends to be high-concept, slightly artsy, heavily ironical. Rodney Dangerfield still gets up on a stage and tells jokes—lots of 'em—and so leaves his audience warmly happy. When he goes, something priceless will go, too, and that is depressing.

Dangerfield is 80 this year. He was born in Long Island, with a typical comedian's name: Jacob Cohen. And then, also typically, he changed it to something snappy. As a young man, he did everything he could to break into show business, but came up short. He accepted the indignity of an office job, but never stopped trying. Eventually, in his 40s, he caught on. Rodney was a late-bloomer, and that added to his legend. He suffered, and overcame, serious depression, and people admired him for that, too. Rodney traveled the club circuit from coast to coast, and he appeared on every TV show imaginable, from Ed Sullivan (on which he was a smash) to Conan O'Brien (likewise). He has performed on the *Tonight Show* a cool 70 times, the record.

Along the way, he became a minor movie star, making—to name three of his biggest—*Caddyshack* (1980), *Easy Money* (1983), and *Back to School* (1986). It may surprise certain readers to know, but there is a cult of *Caddyshack*, populated in particular by those who have spent a good chunk of life around a golf course. Rodney's lines are stuck in our memories. It was no surprise that Gov. Jesse Ventura, when he met the Dalai Lama, wanted mainly to ask whether he had seen *Caddyshack*. (The Tibetan holy man is featured in the movie's signal monologue, though one uttered by Bill Murray, not Rodney.)



So, Dangerfield—outlasting everyone, outperforming everyone—became an institution. His trademark white shirt and red tie are on permanent display at another institution, the Smithsonian.

At Avery Fisher Hall, there was a typical Rodney crowd, which is to say, one that included every type: young and old, male and female, fancy and plain. The crowd was rowdy, hepped-up, not the usual symphonic audience, for sure. Dangerfield had as his warm-up act a youngish comedian named Harry Basil, who was loud, frenetic, and fine. He is the kind of entertainer who does Jerry Lewis singing Kenny Rogers's "Lady." As a warm-up comedian, he is in a ticklish position: He ought to be good, but not too good, because the star has to shine. When some boors in the audience called, prematurely, for Rodney, Basil responded: "You know how when you order a hamburger you get a pickle, even though you didn't ask for a pickle? I'm the pickle. Enjoy the pickle!"

In due course, it was Rodney time. Much about the evening seemed elegiac, including the fact that the prop man was elderly and gimpy. The boys in Rodney's backup band were touchingly dated, too. As for the octogenarian Rodney, he looks essentially as he always has. It is hard to imagine a more distinctive-looking guy: those bulging, leering, chortling eyes; the generous, dancing nose; the *aliveness*. We saw him sweating, nervous, put-upon, tugging at his tie—being everything he was supposed to be. Dangerfield's presence is at once magnetic and reassuring.

His speech is a little slurred now, which is a problem, because he goes 100 miles an hour. But one slowly gets used to his speech, as one would a difficult foreign accent. Rodney tells a dizzying range of jokes, the bulk of them aimed at himself: "I went up with a prostitute. I dropped my pants. She dropped her fee." He does a lot of age jokes now, with relish: "I stopped biting my nails. My wife hid my teeth." Some of the jokes are extremely familiar—"My doctor said, 'You're crazy.' I said, 'I want a second opinion.' He said, 'You're ugly, too'"—but, in Rodney's delivery, they seem new. He will utter something offhandedly, and cause the audience to double over: "My kids are good-looking. Good thing my wife cheats on me."

The Dangerfield style is beyond presto. I estimated that he told between seven and ten jokes a minute. In 50 minutes' work, he must have told over 400 jokes. His patter and timing are practiced and surefire. After he tells a joke, he gauges the reaction perfectly, then begins the next one slightly before the laughter from the previous one has subsided. At one point—probably needing a rest—he observed, simply, "I know a

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lot of jokes." (This is a cleaned-up version.) These hundreds of jokes follow no apparent organization. Rodney might tell 15 about his wife's girth, 5 about his daughter's sexual promiscuity, and 10 about drugs. But then he will tell 20 or 30 or 40 jokes in a row that have nothing to do with one another. There are no segues; it is just a stream of consciousness, a disgorging of memory. Astoundingly, he never forgot what he had told; he never repeated himself once.

Every now and then, he sat down on a stool. He suspended his stream a few times to mop his face and suck down some water (or whatever), which allowed him to gather himself, and allowed the audience to catch its breath. Then he was off again. Just once, the audience responded with (from the comedian's perspective) insufficient laughter. He barked at them, "That was a funny line, don't give me any of that [garbage]!" *That* was funny.

Rodney may be a throwback, but he is thoroughly modern, too. He rarely offended the going sensibility. He said "Chinaman" once. He started a series of gay jokes, but there were a few—just a few—titters, and he seemed to notice those, and stopped at three. Throughout his act, he never said anything political, nothing to irk a Democrat or a Republican, nothing from the headlines, nothing from the popular culture, absolutely nothing topical. These were timeless and (at least from Rodney's mouth) hilarious jokes about daily living, the usual human concerns.

Even when the jokes might have offended—for their sheer raunchiness, for one thing—they never did, for Dangerfield seems a genuinely agreeable man. A lovable man. A good Joe, and an ordinary Joe, although one with an extraordinary talent. When the evening wound down, Dangerfield seemed not to know how to end it. He left the stage a few times, then came back for what seemed like encores. But it was hard to tell. Finally, he held out his hand and said something that sounded heartfelt: "My old man was in vaudeville, and he said, 'You can always count on a New York audience.'" With that, he waved and tottered off, leaving in his wake only happiness, and a disturbing sense that: this was it. **NR**

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■ FILM ■

Nic & J-Lo

JOHN SIMON

THE Australian director Baz Luhrmann's *William Shakespeare's Romeo and Juliet* was clearly a misnomer. The work's reduction to the taste of the MTV generation was plainly *Baz Luhrmann's Romeo and Juliet*. About his ***Moulin Rouge***, the buzz from Cannes was pretty bad; as it turns out, its Baz is worse than its buzz.

Luhrmann's forte—if it can be called that—is splash, swirl, and frenetic cutting, to leave the viewers breathless and unthinking. Since his audience tends to come equipped with the latter attribute, he can concentrate on gaudiness and breakneck speed. In this *Moulin Rouge* there is far more décor and frippery than plot and character, and the dialogue is a blend of the cribbed and the clichéd. But the tempo is such that hardly a shot exceeds six or seven seconds—many shots, in fact, are virtually subliminal—and the crass display of opulence is a veritable nouveau-riche banquet. Whatever else it lacks, the film suffocates in sheer razzmatazz, or, more exactly, Bazmatazz.

You had best come to it supplied with Dramamine or some other antiseasickness drug; it is easily the equivalent of a stormy Atlantic crossing, though the shipboard orchestras are far more chaste and melodious than a Luhrmann soundtrack. The only times this one's fury abates is when Nicole Kidman—as Satine, the "Sparkling Diamond" of the Moulin floor show—chirps in her own fragile voice, so dainty that even electronic enhancement sits on it like falsies on a flat chest. When the men vocalize—Ewan McGregor in more than *mezza voce*, and Jim Broadbent in spunky *sprechstimme*—I suspect that the two masculine names billed in the credits as "vocal doubles" deserve the applause.

■

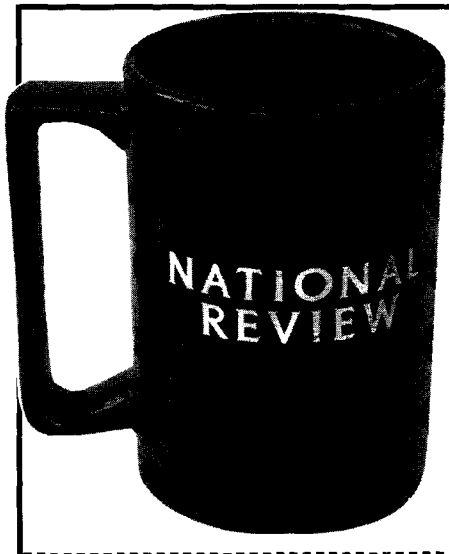
Whatever else *Moulin Rouge* lacks, the film suffocates in sheer razzmatazz, or, more exactly, Bazmatazz.

■

The story is a brazen concoction from *La Traviata* (lovely courtesan dying of consumption sacrifices herself for her beloved's good by pretending to prefer a rich nobleman), *La Bohème* (hero surrounded by merry bohemian friends, heroine succumbing to obligatory consumption after loving reconciliation with him), the musical *On Your Toes* (while hero is on stage, killer stalks him with gun but must find proper moment to shoot him), and heaven knows where else.

Our hero, a young Englishman named Christian (McGregor), is trying to make it as a writer in turn-of-the-century Paree (a setup borrowed from George du Maurier's *Trilby*, and countless others). Never before in love, he falls fatally for Satine, the courtesan-dancer who herself has never before loved, but reciprocates, harboring as she does under her lust for gold a repressed heart of same. But roughening the course of true love are Harold Zidler (Jim Broadbent), the near-bankrupt owner of the Moulin, and the wealthy Duke of Worcester (Richard Roxburgh), who will finance the "spectacular spectacular" Christian is writing for Zidler and Satine in exchange for the lady's utter and undivided favors.

The banalities of the meager plot will not be rehearsed here; suffice it to say that Christian's pal Toulouse-Lautrec (whom his intimates here call Toulouse; Henri might confuse a Luhrmannite audience) is played wretchedly by John Leguizamo, who doesn't even manage to look as convincing as José Ferrer in John Huston's 1952 version. As Satine expires in the arms of the sobbing Christian, she exhorts him that he must go on, having so much to give to the world. Earlier, in her Camille mode, she said, "The difference between you and I [*sic*] is that you can leave anytime, but this is my home, the Moulin Rouge." By a cruel irony of the Grim Reaper, it is she who is leaving, but she assures Christian, "I'll



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always be with you." We see him throughout typing his musical, entitled *Moulin Rouge*, on his trusty vintage '99 Underwood. If Satine is truly watching from above, she may not, alas, see his work crowned at the box office.

John Huston's *Moulin Rouge* at least had a fine score by Georges Auric, and did not depend on musical scavenging. Here we have recycled old songs along with new ones by Lil' Kim, Mya & Pink, Fatboy Slim, and David Bowie and Massive Attack. The film's attack on the eyeballs is massive indeed; mine started throbbing at midpoint.

■ The surprising thing about ***Angel Eyes*** is that Jennifer Lopez gives a highly respectable performance in it. Playing Sharon Pogue, a tough Chicago cop, she manages to convey an attractive vulnerability and range of emotions under the steel. In short, she lets it all hang out in another, better sense than the sartorial.

■

Playing a tough Chicago cop, Jennifer Lopez manages to convey an attractive vulnerability under the steel.

■

Right off, we see her moral fortitude. At the scene of a car wreck in which a woman and child have been killed, she keeps a horribly wounded man, whose face we do not see, alive with the squeeze of her hand, the solicitude in her eyes, and the compassionate concern of her voice. After the medics cart him off, we lose sight of him.

Her next valorous feat is overpowering a murderous man with her iron grip. She also has a bantering hardball relationship with her partner, a young, black, married cop. She is less warm toward her brother, Larry, who tries to persuade her to reconcile with their father, whom she hasn't seen in ten years, since she arrested him for beating her mother.

Gradually, she becomes aware of a young man trailing and observing her. Unshaven and shabbily dressed, he nevertheless is no ordinary stalker. He has the poetically emaciated, excruciatingly soulful face of an anchorite, the gaze of a supernatural being (it is unclear whether the film's title refers to him or Sharon or both), and speaks with the halting gentleness of hypersensitive movie heroes and village idiots. He goes by the cryptic name Catch (no last name), lives in an ascetic pad that makes a prison cell seem luxurious, has mysteriously caring relationships with a wheelchair-bound older woman and an awestruck neighbor child, and has no occupation other than walking the streets and popping up in Sharon's purview.

So it is that on a night when Sharon is chasing after yet another lethal criminal through a godforsaken back alley, and the perpetrator wheels around, intent on killing her, Catch materializes out of nowhere and saves her life. I have an awful feeling that in some earlier version of the script, Catch was a guardian angel; in the definitive one, he is something almost as unlikely: the man in the opening car wreck whom Sharon helped save. From that providential encounter, romance develops.

I cannot begin to list the shabby and sloppy sentimentalities of this movie, which equal, indeed surpass, its flagrant improbabilities. Contrivance, implausibility, and tearjerking have their unholy heyday here, perhaps expectably from the Mexican-born American director Luis Mandoki, who has several heartwringers to his credit, and who previously teamed up with the similarly endowed screenwriter Gerald DiPego on the preposterous *Message in a Bottle*. DiPego, a specialist in dime-store mysticism, also gave us, among others, the insufferable *Phenomenon* with John Travolta. Marco Beltrami's score helps this brimming tureen of soupiness overflow.

You may remember Jim Caviezel (Catch) as the sacrificial hero-soldier in *The Thin Red Line* and the saintly would-be suicide of the inspirational stinker *Pay It Forward*. Here, again, he is a beatifically hollow-cheeked scarecrow with suction-cup eyes and a swoony voice. The rest—including Sonia Braga, Victor Argo, Shirley Knight, and Terrence Howard—swim as well as one can in a sea of goo, and, except for her distracting accent, Miss Lopez, I repeat, cops the palm. **NR**

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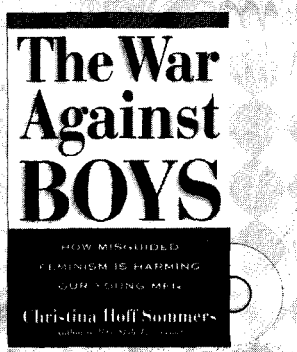

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■ CITY DESK ■

Internal Emigrés

RICHARD BROOKHISER

THE two big Caterpillar bulldozers were lifting up the skin of the street on the west side of Union Square and digging out its bones and arteries. The gestures they made, as one machine hoisted a piece of infrastructural detritus and passed it to the metal blade of the other, were tender: They might have been songbirds feeding each other, or teenagers fumbling over a prom corsage. But the sounds and smells were dismal. Motors sang, metal squealed. The machines were wreathed in clouds of blue exhaust discharge, and when the big corroded piece of pipe they were grappling with—Truman-era? McKinley?—was finally lifted up and away, it shed a dandruff of rust and grit.

Five feet from this party for fiends, out of Bosch via Dickens, sat the outdoor café of a parkside restaurant. Patrons in sunglasses sipped *batidas*, answered their pagers, and studied the abdomens of the waitresses, smooth as toothpaste tubes and not much thicker. If they looked in the direction of the struggling metal dinosaurs, they looked above them, to the park's canopy of shivering spring leaves. When I took a table inside, I asked the owner how anyone could sit cheek by jowl with such racket. "They want serenity," he said.

New Yorkers want serenity, and they will have it, despite all distractions. Each can pull a cone of quiet over himself; in the middle of Penn Station during rush hour, or the Sheep Meadow on a Sunday afternoon, or Times Square at intermission, they can walk, sit, or stand and think, "Though he slay me, yet will I trust in him," or "The jewel is in the eye of the lotus." They need the gift of serenity, for they have much to fend off. Giuliani Time—let us praise it before it ends—drained great sacs of crime and filth from the city. But ordinary urban hassle and overstimulation remain.

The most annoying stimuli are those that occur in confined spaces. Every time you enter a cab nowadays, you are greeted with a recorded announcement reminding you to buckle your seat belt. The announcers are celebrities—tongue-tied athletes, obscure sports broadcasters, DJs on radio stations you have never heard. I find that the announcements do work, and that, like a conditioned laboratory animal, I always snap myself in. But the copy is coy or witless (only Jackie Mason's announcements hold up after the fiftieth hearing), and if the driver is chattering on his cell phone, and has the radio on besides, the riding experience is a glum one.

■

New Yorkers want serenity, and they will have it, despite all distractions.

■

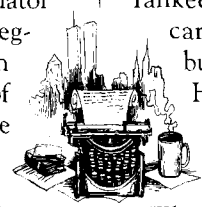
In the subway there are performers. Nothing can fill up a platform like the Shining Path Marching Band, thumping out Andean folk tunes; the apache doing a tango with a life-sized mannequin; the woman playing "How Great Thou Art" on a musical saw; the youth with an electric guitar singing "All I Have to Do Is Dream" with vowels even more adenoidal than those of the Everly Brothers themselves.

I can make you mieen,
Taste your lips of wieen,
Any tieem, nieet or dayee.

The quality-of-life campaign made life underground easier by doing away with most panhandlers, but solicitations for charity seem to have slipped through the net. At the bottom of an escalator in Grand Central Station are begging nuns. I seem to recall an advisory from the Archdiocese of New York stating that there were no legitimate Roman Catholic mendicant orders in New York City. If that is true, it will go hard on Sister Shyster in the next world. But in this, she wants your quarter. Formerly homeless men, who claim to be working for charitable organizations, preface their pitch by offering bags of potato chips to anyone who might be homeless himself. The offense of an unwelcome appeal is compounded by the offense of unwanted help. Faced with such assaults on our quiet, our wallets, and our aesthetics, a New Yorker must learn to turn the eye and ear inward.

If the senses cannot impose seclusion on themselves, New Yorkers try to give them help. There is an Episcopal church in the Village called St. Luke in the Fields, which hasn't been in fields since the death of the Whig party. But it has given over the corner of its lot to a walled brick garden. If the gate is shut, as it usually is, you must take a winding path between the back of the church and a parking lot. The neighbors (some of them probably even Episcopalians) take their Sunday *Times*es there as if it were a lake in the Adirondacks. New Yorkers in more built-up neighborhoods take other measures. In a few weeks, a woman in an apartment across the street from mine will begin to take advantage of the midsummer sun by opening her window for an hour or so every afternoon to catch the rays. On the building roof 50 feet north of her and 10 feet down, another woman spreads out a towel on her own dry Jones Beach. I have also seen it done on the landing of a fire escape 10 feet further down. No one in any of these locations can see anyone else; who is watching me?

The only other alternative, for serenity-assistance, is to go up. I recently went to a dinner party on a high story on the West Side. The host and hostess explained the peculiarities of their layout, which they said were characteristic of the handiwork of Donald Trump: smallish rooms, many bathrooms. But the view, also a Trump specialty, was drop-dead: the skyscrapers in their party hats; Yankee Stadium and Shea Stadium; cars on the West Side Highway, busy, fussy beetles; the dreaming Hudson; the Palisades, still green after all these centuries. In the Ramapo Mountains of northern New Jersey, the Jackson Whites, a community of Dutch-surnamed half-breeds who are trying to win tribal status from the federal government, are supposed to be able to see the Chrysler Building. With a telescope, I could have seen them. But I would not do such a thing. They too deserve their serenity. NR



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WILLIAM F. BUCKLEY JR.

Goldwater & the Press

NEW YORK, MAY 11

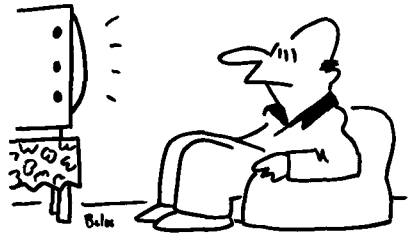
MOST journeymen I know who are in the business, myself included, wince at comprehensive references to "the press." This is so in part because editors and reporters and columnists and researchers have their own opinions about public people and public events and are annoyed by collective generalizations. Everyone craves singularity.

Notwithstanding, there are the raw data: the famous Lichter-Rothman survey of 1980, which disclosed that 80 percent of the media elite had voted Democratic in every presidential election from 1964 to 1976; a poll of voting by the faculty of Dartmouth revealed that, if found, Republican professors are kept in zoos and fed irregularly; the Media Research Center, whose curator L. Brent Bozell (my nephew) is a lively presence on the scene, and amasses evidence of Democratic proclivities. But statistical compilations are without flavor. For that you need skilled writers with an eye for detail and for special piquancies. We have this from Rick Perlstein.

Mr. Perlstein, a young journalist, is himself an ardent enthusiast for the American Left, but in his book on the 1964 presidential campaign, he saw it all and tells it all, including eye-popping accounts of the excesses of his own political tribe. *Before the Storm* is a book about Barry Goldwater's campaign for president. It is intriguingly subtitled: *Barry Goldwater and the Unmaking of the American Consensus*. What is meant by that is that Goldwater's disastrous electoral count in 1964 (he won only Arizona and five Southern states) was misinterpreted by hot-pants ideologues like Professors Schlesinger and Galbraith as the end of the conservative movement. But something happened on the way to a liberal consensus: The conservative movement thought dead was in fact gestating and, 16 years after the defeat of Goldwater, would bring in Ronald Reagan.

The press that accompanied Goldwater on his campaign liked the man, but disdained his cause. "'How could such a nice guy *think* that way?' one [reporter] asked. . . . Their objectivity began failing them. In Montana, 10,000 stood in the freezing rain to welcome Goldwater, and the number the press somehow settled on was 2,500. Jack Steele of the Scripps-Howard chain so lowballed the turnouts that Karl Hess [Goldwater's speechwriter] strolled into the press quarters with a token of appreciation: a carving of a hand with the middle finger extended. Steele reported the incident in his copy—a testament to the inner circle's blind indifference to public relations."

Meanwhile, Perlstein tells the reader with his robust vision, President Lyndon Johnson was micromanaging his own campaign, the high-low point of which was the television ad of the little girl and the daisy and the atom bomb that voters were encouraged to believe would fall on her if the GOP contender were elected. "If it hadn't been for Goldwater," Johnson aide Kenny O'Donnell recalled afterward, the press would have "just murdered him," such were LBJ's excesses. Perlstein looks hard at the conduct of the president of the United States who was trying to intimidate the voters on the matter of Goldwater's incompetence to preside over the nuclear football. "The man [who did have] his fingers on the nuclear button sometimes weaved off his campaign plane stinking drunk; he made mistakes on the stump; he contradicted himself in interviews. On his way to opening day in Detroit, in order to squeeze as many VIPs into his plane as possible, he booted onto an accompanying plane the military aide who kept the briefcase handcuffed to his wrist that contained the codes to launch a nuclear strike. That plane nearly ended up crashing. Reporters looked the other way. 'Thank God for Lyndon Johnson,' a scribe from the *St. Louis Post Dispatch* thought to himself, as the president lit into Goldwater once more as a 'ranting, raving demagogue who wants to tear down society.'"



"The following program may offend some viewers, but hey—that's what you get for watching television."

Perlstein hardly excuses Goldwater's own excesses. "Goldwater's speeches were now sheer extrusions of rage . . . It was the only way he himself could understand this great national salivation over an opponent he now despised." The end could not come soon enough, but there were those who saw, and Perlstein records why, that Goldwater had aroused sentiments that did not fall back to sleep with the great LBJ landslide. His engrossing book invites reflection on the role of the press in campaigns. In 1964 there was a need for mediation. When such as Martin Luther King and George Meany transcribed the nomination of Goldwater into a threat of American fascism, the press was needed to bring sanity. *Before the Storm* is an entertaining book, but also an invitation to reflection on the heavy responsibilities of the press.

The Legal Jam

NEW YORK, MAY 15

IT is a big confusing sprawl of a system, but there are those who love it, and it takes lifelong love for our system, after weighing the Supreme Court's decision. The anomalies knock you down, but there is still light.

We have, in California, the principal exfoliate of *United States* v. *Oakland Cannabis Buyers' Cooperative*. It is this: If you grow marijuana in California, you can't be arrested by state troopers, but you can be arrested by federal agents.

Proposition 215, which carried California by plebiscitary vote in 1996, authorized marijuana under medical prescription. The Ninth Circuit Court then handed down a decision denying the right to prosecutors to pull in marijuana distributors whose clients were patients of doctors who authorized marijuana. Last June, Peter McWilliams, the young author, poet, libertine/libertarian, died in medical duress. He had AIDS, and found relief in marijuana; the feds brought him in, stuck him in jail, released him on bail, with urine tests to verify that he was not taking marijuana, the only palliative that gave him relief from pain; and he died. One doesn't die from not taking marijuana, any more than one dies from taking it. But what creeps into the

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case, of course, is the concept of medical necessity.

Justice Clarence Thomas wrote the majority opinion, which wasn't endorsed by three of the justices, who wrote their own concurring opinion. The reason for their disagreement was Justice Thomas's insistence that marijuana has no unique medical purpose. This statement is dumbfoundingly outrageous to anyone who knows from personal experience that the drug gives unique relief to some sufferers.

What Mr. Thomas, and others, correctly did was to acknowledge the authority of Congress as exercised in its Controlled Substances Act of 1970. This Act decreed that marijuana was a Schedule 1 substance, and therefore forbidden for use. The Court's indulgent handling of Congress is a welcome deviation. Yes, Congress said it; yes, Congress has the authority to rule on drugs; no, California distributors may not legally sell the drugs. So where do we go now?

California's attorney general, who backed the Oakland cooperative, regrets that the federal government is standing in the way of "California's historic role as a 'laboratory' for good public policy." That statement was a little unguarded, coming from a spokesman from a state that has served as a laboratory for every kookiness of the past 100 years; but the question of states' rights is implicitly very much there. Justice Stevens raised the point explicitly, wondering whether the majority opinion showed enough "respect for the sovereign states that comprise our federal union." Thomas replied witheringly to his colleague: "Because federal courts interpret, rather than author, the federal criminal code, we are not at liberty to rewrite it."

Correct. But inasmuch as we are talking only about one federal law, easily modifiable, the question of political leadership arises. And here we have a precedent. While governor of Texas, George W. Bush opposed legalizing marijuana for medical use, but deferred to individual states to make their own decision in the matter. "I believe each state can choose," he said in 1999. So then that avenue is open: a congressional modification of existing laws.

Those who enjoy legal theorizing can come up with the argument that to deny someone a pain-reducing or life-enhancing drug is to deny him due process and the right to life. These are airy flights of constitutional theorists on highs, but they do accost the basic question whether Peter McWilliams is a better judge of medical palliatives for his ailment than Congress or the Supreme Court.

So it all crowds around our federal system: state laws, state plebiscites, congressional laws, Supreme Court interpretations, constitutional epiphanies. It is very red, white, and blue and, we repeat, there are those who love it.

The Crooner, R.I.P.

NEW YORK, MAY 18

PERRY COMO died in his sleep, and one comments: How else? He was, if not the founder of the casual mode, its preeminent prince, and his reputation was made mostly by that attitude towards music. He treated it, evidently (I am not an expert), as a continuing lullaby, and dug in his heels against the modern movement that decreed that only unmusical music is tolerable. One has the temptation, if caught with such music, to level a shotgun at a booster and require him/her to narrate what his clomping enthusiasm is all about. What was the melody he heard? Could he sing it? Write it out? Hum it? No. The nearest reconstruction he could make would be to find a drum and cymbal and just beat on them, and maybe howling; howling not a little, howling a lot.

Perry Como, we read, was kindly treated by the critics, but not adored. It is judged that he was never, finally, a megastar. He did sell 100 million records, and one year he beat out—in the dispositive *Billboard* magazine's annual poll—Dick Haymes and Frank Sinatra. But the keenest ears were looking for something more, which had already come along with Bing Crosby, whom Como aped, and was smashingly there with Ella Fitzgerald and Frank Sinatra, after he retuned his whole approach to music.

Como was renowned for his decency, of which I had a tiny experience. Frank Sinatra, by contrast, was always a Presence, and expected to be treated as such. Although Perry Como sang into his 80s, his big years, in the movies and on television, were behind him by the late Fifties, which is when Elvis Presley materialized, to swamp the scene until the Beatles more or less took over.

Como's voice was rich and mellifluous and melodies flowed out of him as though issuing fresh from his throat's imagination. Presley brought an excitement to singing, in part because rock and roll was greeted as his invention, but for other reasons not so widely reflected on: He had the most beautiful singing voice of any human being on earth.

Presley was primarily a balladeer. "Don't Leave Me Now" is a love song given distinctiveness by Presley's twangy enunciations, and sustained by the guitar and rhythm sections designed perfectly to complement the balladeer, filled out towards the songs' ends, as with so much of Presley, with what one conveniently calls the heavenly choir, which wafts him home but never overwhelms the country lilt Presley gives his music.

One supposes that there are biographies out there about Como because there are biographies out there about everybody. But nothing on the scale of Sinatra's or Elvis's. Como would surely have liked it that way. He consented to spotlights beamed on him only as necessary to perform for his audiences, in night clubs or on television. Otherwise he was happiest serving merely as a presence in the room. Elvis was capable of strong, even overwhelming attachments, though he dealt in serial women. By contrast Como was married for 65 years, and his wife died before him. It was only with some reluctance that he agreed to abandon the barbershop he had started up as a teenager, in order to pursue his career as an entertainer. He tended to close his programs with a song that, as often as not, mentioned God, whom he sought to serve, and from all reports succeeded in doing so.

I experienced his personal grace. The scene: an Eastern Airlines flight to Niagara, New York. I would deliver the commencement address at Niagara College and receive, with others, an honorary degree. My proud mother, age 78, accompanied me and was dismayed in mid-flight when the top button on her suit fell off, leaving the jacket's neckline at an elevation lower than her modesty required. I asked the stewardess if she could come up with a safety pin. From across the aisle a gentleman also bound for Niagara for an honorary degree leaned over and said, "Ma'm, why don't you try this?" And proffered my mother a two-inch-long pearl and diamond brooch. "You can give it back to me," Perry Como smiled, "after the ceremony."

But when that moment came, he said to her: "I don't want it back. It looks so nice on you." Thirty-five years later, I seek to return the courtesy.

—UNIVERSAL PRESS SYNDICATE

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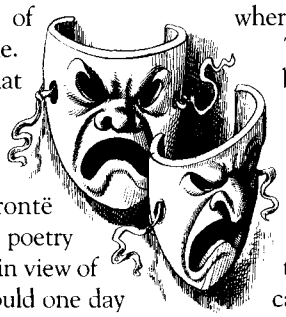
■ THE MISANTHROPE'S CORNER ■

FLORENCE KING

THE movie *Quills* has come and gone, but this sympathetic portrait of the Marquis de Sade will turn up on TV in a year or so. It will be "edited for content," of course, but cutting the worst of the sex and violence will not diminish its disastrous overall message, to wit: Sade was a misunderstood genius who was persecuted by a hypocritical establishment.

This is a good time to review a murder case in which the writings of Sade played a precipitate role.



It happened in a place that most Americans know only as the setting of a famous love story, Emily Brontë's *Wuthering Heights*, but Brontë also penned some lines of poetry that are chillingly prescient in view of the macabre events that would one day unfold there: "I dream of moor and misty hill . . . what have these lonely mountains worth revealing?"

England's "Moors Murders" were committed between 1963 and 1965 by a young couple, Ian Brady and Myra Hindley, who worked together in a chemical-supply firm in Manchester, he as a stock clerk, she as a typist. They lived together as well, first in her grandmother's grimy row house in the city slums; later, when the slum was cleared, in a "council house" on a faceless suburban "overspill estate," i.e., public housing. The only atmospheric touch in this dreary corner of the Welfare State was a sweeping view of the moors.

Brady, a Scot, was the illegitimate son of a Glasgow waitress named Peggy Stewart. She farmed him out to a slum family named Sloan, whose name he was given, and visited him from time to time in the guise of a family friend, not telling him that she was his mother.

Three incidents from his childhood are noteworthy. He was drawn to pictures of vast empty spaces, he buried a cat alive, and he became obsessed with the movie *The Third Man*, memorizing Orson Welles's line as he looks down from atop a Ferris wheel at the people below: "Would you feel any pity, old man, if any of those dots stopped moving forever?"

In his teens he was arrested for petty crime and sent to a reformatory. He was released on the condition that he live with his mother, now married to a man named Brady and living in Manchester. He had already guessed that Peggy was his mother, and so he moved to Manchester, took his stepfather's name, and got a job at the chemical-supply firm, where he stayed six years.

To people of this class, reading books is proof of seriousness, if not stodginess. Everyone thought he had settled down, but his books were pseudo-scholarly paperbacks like *The History of Torture*, and sensational treatments of the Holocaust. His displays of lunch-hour studiousness impressed the new typist, Myra Hindley, who found him "deep."

Myra's dissatisfaction with her life was expressed by regular changes in her hair color. She went through every shade of blonde and even, once, pink, teasing it into a huge, elaborate bubble. The only other remarkable thing about her was her morbid reaction at 15 to the drowning death of a childhood friend; inconsolable, she wore black until it had to be taken from her.

Myra Hindley did more than sleep with Ian Brady. She turned into him, exchanging her flat Lancashire vowels for his Scottish burr, parroting his Nazi views, and sharing his fascination with the vast, empty moors. They drove there in rented cars, always with a shovel in the back, ostensibly so that Brady could dig peat for her grandmother's garden.

Of the five children who went missing between 1963 and 1965, two were found buried on the moors by police diggers who matched the loci to the snapshots Brady and Hindley took of themselves standing on the graves. Other incriminating evidence included nude photos of their ten-year-old female victim, a tape recording of her screams with Christmas carols playing in the background, and a dog-eared paperback of Sade's *Justine*. Among its underlined passages were "Murder is a hobby and a supreme pleasure," and "The crime of destroying one's fellow man is non-existent."

The only study of the Moors Murders published in the U.S. is *Beyond Belief* by Emlyn Williams. Noting that the paperback edition of *Justine* came out in England shortly before the first murder, he makes a convincing case for charging Sade as an accessory before the fact.

> The very first sentence of the Foreword is an example of the indoctrination of an immature mind: 'This is one of the great forbidden books of all time . . . stimulating, mind-prodding . . . its publication at this time is an important cultural event.' . . . *Justine* is a dirty book without dirty words. If anything, the language is pretty lofty, one of the reasons why the work is defended as literature. The flights are as high in translation as in the original, often reading like bad Walter Scott. The idiocies in the text will pass right over the head of this particular reader, because Brady and his author have in common two negative traits: a want of literary taste and a lack of humor.

Questioned on the witness stand about his pornography, Brady sneered, "Ye'll find worrse in lairds' manors." This is probably true, but there are far fewer lords than stock clerks. The danger of making pornography universally available in cheap editions challenged the socialist views of novelist Pamela Hansford Johnson, who, while covering the Moors trial, saw a paperback of Krafft-Ebing's *Psychopathia Sexualis* in a railway-station rack. What need, she asked in her commentary on the case, has the general public for such books?

Thirty-five years ago, progressive literary figures like Emlyn Williams and Pamela Hansford Johnson saw through malignancies like Sade, but today's Hollywood liberals are as gullible as Ian Brady. "Half-baked pickers-up of unconsidered truisms," in Williams's words, "just sharp enough to acquire surface knowledge and a run-of-the-mill vocabulary embellished with threadbare turns of speech."

A better description of the guardians of our popular culture was never penned. Barbra Streisand, Alec Baldwin, and Rosie O'Donnell, take a bow. **NR**

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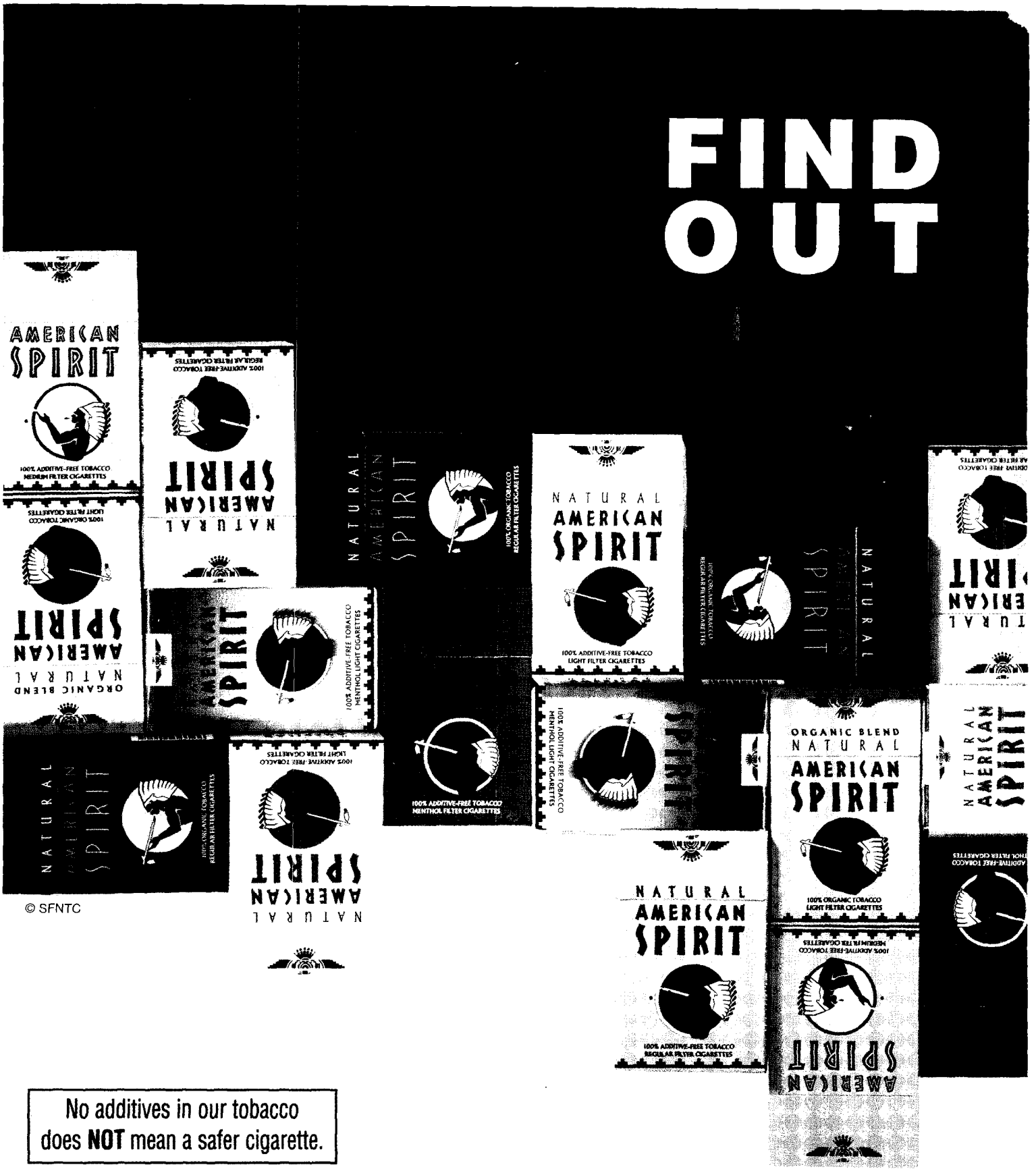

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